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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

PETER DELVECCHIA, et al.,	)	Case No.:
	)	2:19-cv-01322-KJD-DJA
Plaintiffs,	)	
	)	
vs.	)	
	)	
FRONTIER AIRLINES, INC.,	)	
et al.,	)	
	)	
Defendants.	)	
_____	)	

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REMOTE VIDEO-RECORDED VIDEOCONFERENCE DEPOSITION  
OF  
FRANCOIS OBASI

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18 Taken on Thursday, September 15, 2022, at 9:12 a.m. PDT  
19 Appearing via videoconference from  
20 10651 Solar Hawk Avenue  
21 Las Vegas, Nevada

22  
23 By a Certified Court Reporter and Legal Videographer  
24 Reported by: Dawn Bratcher Gustin, CCR 253, RPR, CRR  
25 Job No. 50620, Firm No. 061F  
California CSR 7124

Francois Obasi

Peter DelVecchia, et al. v. Frontier Airlines, Inc., et al.

<p>2</p> <p>1 APPEARANCES: (All participants appearing remotely)</p> <p>2</p> <p>3 For the Plaintiffs:</p> <p>4 JOHN D. MCKAY, ESQ. PARK AVENUE LAW LLC 201 Spear Street Suite 1100 San Francisco, California 94105 johndmckayatty@gmail.com</p> <p>6</p> <p>7</p> <p>8 For the Defendants:</p> <p>9 BRIAN T. MAYE, ESQ. ADLER MURPHY &amp; McQUILLEN LLP 20 South Clark Street Suite 2500 Chicago, Illinois 60603 bmeye@amm-law.com</p> <p>12</p> <p>13</p> <p>14 The Videographer:</p> <p>15 NICK NARDIELLO, Legal Video Specialist OASIS REPORTING SERVICES</p> <p>16</p> <p>17 Also Present Intermittently:</p> <p>18 PETER DELVECCHIA</p> <p>19</p> <p>20 * * * * *</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>4</p> <p>1 DEPOSITION OF FRANCOIS OBASI</p> <p>2 Thursday, September 15, 2022, 9:12 a.m., PDT</p> <p>3 --oOo--</p> <p>4 P R O C E E D I N G S</p> <p>5 THE VIDEOGRAPHER: Today is September 15th,</p> <p>6 2022, and the time is approximately 9:12 a.m. Pacific</p> <p>7 Standard [sic] Time.</p> <p>8 This is the remote deposition of Francois</p> <p>9 Obasi, in the case Peter DelVecchia vs. Frontier</p> <p>10 Airlines Inc., et al.</p> <p>11 I am Nick Nardiello with Oasis Reporting</p> <p>12 Services. I will be monitoring the proceedings and</p> <p>13 recording both video and audio today.</p> <p>14 At this time I will ask counsel to identify</p> <p>15 themselves, state whom they represent, and agree on the</p> <p>16 record that there is no objection to the court reporter</p> <p>17 administering a binding oath to the witness through</p> <p>18 remote videoconferencing. If no objection is stated,</p> <p>19 we'll proceed forward with the agreement of all counsel.</p> <p>20 We'll begin appearances with the noticing attorney.</p> <p>21 MR. MCKAY: This is John McKay. I represent</p> <p>22 the DelVecchias, the plaintiffs, and I have no</p> <p>23 objection.</p> <p>24 MR. MAYE: Brian Maye for Defendants. I have</p> <p>25 no objections.</p>
<p>3</p> <p>1 I N D E X</p> <p>2 WITNESS PAGE</p> <p>3 FRANCOIS OBASI</p> <p>4 Examination by Mr. McKay 5</p> <p>5 Examination by Mr. Maye 51</p> <p>6 Further Examination by Mr. McKay 98</p> <p>7 Further Examination by Mr. Maye 116</p> <p>8</p> <p>9</p> <p>10 E X H I B I T S</p> <p>IDENTIFIED/</p> <p>11 EXHIBIT DESCRIPTION MARKED</p> <p>12 Exhibit 1 Voluntary statement (1 page) 33/124</p> <p>13 Exhibit 2 Still photograph dated Dec 3, 33/124 2019 10:44:42 (1 page)</p> <p>14</p> <p>15 Exhibit 3 Photograph of Mr. DelVecchia 35/124 and A.D. (1 page)</p> <p>16 Exhibit 4 3/28/19 LVMPD Communication 58/124 Center Call Log (3 pages)</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>5</p> <p>1 THE VIDEOGRAPHER: Thank you.</p> <p>2 The court reporter today is Dawn Gustin with</p> <p>3 Oasis Reporting Services. The reporter may now swear in</p> <p>4 the witness.</p> <p>5 FRANCOIS OBASI,</p> <p>6 having been first duly sworn, was</p> <p>7 examined and testified as follows:</p> <p>8 EXAMINATION</p> <p>9 BY MR. MCKAY:</p> <p>10 Q. Would you state your full name, please.</p> <p>11 A. Francois Obasi. And I'm no longer a sergeant,</p> <p>12 but it's all right.</p> <p>13 Q. All right. Do you prefer to be addressed as</p> <p>14 Mr. Obasi?</p> <p>15 A. Or just Obasi or Francois will do. I'm fine.</p> <p>16 Q. Okay, sir. All right. Thank you very much.</p> <p>17 Well, again, I'm John McKay, and I am the</p> <p>18 attorney for the DelVecchias. We met off the record.</p> <p>19 And I will be taking the deposition this morning.</p> <p>20 Mr. Brian Maye is also here representing the defendants,</p> <p>21 and he may have some questions for you after I finish</p> <p>22 up.</p> <p>23 We have a couple of things to go through, and I</p> <p>24 probably should ask have you ever had your deposition</p> <p>25 taken before?</p>

<p>6</p> <p>1 A. No.</p> <p>2 Q. Okay.</p> <p>3 A. Not by Zoom or anything like that, no.</p> <p>4 Q. Okay. So I presume as a long-time police</p> <p>5 officer, you had a chance to testify in court once or</p> <p>6 twice?</p> <p>7 A. Yes. Yes.</p> <p>8 Q. Okay.</p> <p>9 A. Couple of hundred, maybe.</p> <p>10 Q. Couple of hundred times.</p> <p>11 A. Yes.</p> <p>12 Q. Okay. So this proceeding is very much like</p> <p>13 testimony in court. You're -- you've just been sworn in</p> <p>14 just as you would have been in court. And as I question</p> <p>15 you, there is the possibility that an objection will be</p> <p>16 raised by opposing counsel. The only thing that's</p> <p>17 different from the courtroom situation is that there's</p> <p>18 no judge here to respond to the objection. And so --</p> <p>19 A. Okay.</p> <p>20 Q. -- we simply wait a beat, and then you can go</p> <p>21 ahead and give your answer.</p> <p>22 If at some point down the road the judge reads</p> <p>23 the transcript and sustains the objection, then your</p> <p>24 answer might be taken out, but this way, we're able to</p> <p>25 just go ahead and record objections for the record to be</p>	<p>8</p> <p>1 The last thing to remember is that we need to</p> <p>2 use words rather than nonverbal responses like "um-hum"</p> <p>3 because of the difficulty that the court reporter has in</p> <p>4 accurately transcribing something like a nonverbal</p> <p>5 answer.</p> <p>6 One last thing, actually, I do need to mention</p> <p>7 in this case is that we do have a minor involved as one</p> <p>8 of the parties, and that's Mr. DelVecchia's son, and</p> <p>9 because of federal rules that apply to providing</p> <p>10 information about minors in the court record, we have to</p> <p>11 refer to him by his initials, which are A.D. So if I'm</p> <p>12 asking you a question about A.D., that's asking you</p> <p>13 about Mr. DelVecchia's son.</p> <p>14 Is that okay?</p> <p>15 A. Yes, sir.</p> <p>16 Q. Okay. Thank you, sir.</p> <p>17 I guess, first of all, just for a background,</p> <p>18 where do you currently reside?</p> <p>19 A. In Las Vegas. Do you need my full address</p> <p>20 or --</p> <p>21 Q. Yes, please, if you don't mind.</p> <p>22 A. Okay. [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 Q. And who do you live there with?</p> <p>25 A. I live with my wife and -- wife, minor</p>
<p>7</p> <p>1 dealt with later.</p> <p>2 Is that understood?</p> <p>3 A. Yes, sir.</p> <p>4 Q. Okay. The court reporter is taking down a</p> <p>5 written transcript just like in court. The important</p> <p>6 thing, especially with these electronic depositions, is</p> <p>7 to remember that if two people speak at the same time,</p> <p>8 she hears neither of us. And it's very much like</p> <p>9 talking into a walkie-talkie. So if we both push the</p> <p>10 button at the same time, nothing comes through.</p> <p>11 So we have to be very careful and a little bit</p> <p>12 stilted in the sense that I request that you wait until</p> <p>13 I'm entirely finished with my answer -- or my</p> <p>14 question -- excuse me. Even if you know the answer and,</p> <p>15 in normal conversation, might want to jump in and -- and</p> <p>16 add the answer, you need to wait until it's absolutely</p> <p>17 clear that I've finished and then begin your answer, and</p> <p>18 that way we'll be very careful not to step on each</p> <p>19 other. Okay?</p> <p>20 A. Yes, sir.</p> <p>21 Q. All right. And if you do answer, we will</p> <p>22 assume that you understood the question. So if you</p> <p>23 don't understand any question, be sure to say so, and I</p> <p>24 will rephrase or repeat it or whatever's necessary under</p> <p>25 the circumstances.</p>	<p>9</p> <p>1 daughter, and my brother.</p> <p>2 Q. Okay. Do you have any plans in the foreseeable</p> <p>3 future to move from that address?</p> <p>4 A. No, I do not.</p> <p>5 Q. Okay. And I understand that your wife is a</p> <p>6 detective for the Las Vegas Police Department?</p> <p>7 A. Yes, she is.</p> <p>8 Q. Okay. And you used to be a detective for that</p> <p>9 same department; is that correct?</p> <p>10 A. Actually, no. I was a supervisor -- a</p> <p>11 sergeant, patrol sergeant.</p> <p>12 Q. Okay. Thank you. Patrol sergeant.</p> <p>13 And how long were you with the Las Vegas</p> <p>14 Metropolitan Police Department?</p> <p>15 A. 21.5 years.</p> <p>16 Q. All right, Sir. And what reason -- for what</p> <p>17 reason did you retire?</p> <p>18 A. I actually retired to become a full-time dad.</p> <p>19 Q. A full-time dad?</p> <p>20 A. Yes, sir.</p> <p>21 Q. Okay. To your daughter?</p> <p>22 A. Yes, sir.</p> <p>23 Q. Okay. I want to ask you some questions about</p> <p>24 the evening of March 28, 2019, which was the evening</p> <p>25 that the flight arrived from Raleigh-Durham, North</p>

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<p style="text-align: right;">10</p> <p>1 Carolina, that's the subject of this action.</p> <p>2 Do you remember that evening?</p> <p>3 A. Yes, sir.</p> <p>4 Q. What was the first knowledge that you had that</p> <p>5 this flight was arriving and might require your</p> <p>6 attention?</p> <p>7 A. We received a call from the airport control</p> <p>8 center saying that the call was inbound. I believe we</p> <p>9 had about a, maybe, 30-to-40-minute heads-up of the</p> <p>10 flight landing in the gate and -- etcetera, and that</p> <p>11 they would need our assistance.</p> <p>12 Q. Was there any other information provided at</p> <p>13 that time by the airport control center?</p> <p>14 A. Yes. They were able to give me the names of</p> <p>15 the parties involved, the father and son, and kind of a</p> <p>16 brief of the incident, because usually the airport</p> <p>17 control center gets very, very brief information from</p> <p>18 the pilot.</p> <p>19 Q. Okay. Now, just to be clear, you said "from</p> <p>20 the pilot." Is the -- is the pilot of the aircraft</p> <p>21 directly connected to the aircraft -- airport control</p> <p>22 center?</p> <p>23 A. I believe -- and I'm not an expert in this</p> <p>24 part, but I believe the pilot calls it into air traffic</p> <p>25 control, who relays it to the dispatcher in the airport</p>	<p style="text-align: right;">12</p> <p>1 A. Okay. Is that better?</p> <p>2 Q. Yes. Much better. Thank you.</p> <p>3 A. Okay. I think it was my Bluetooth.</p> <p>4 Q. Okay. We were getting an echo, then, I guess.</p> <p>5 When you receive information that the flight</p> <p>6 was coming in and giving the DelVecchias' names, what</p> <p>7 were you told in addition to the names?</p> <p>8 A. We were told that it was a possible -- going to</p> <p>9 say, like, kind of a child molestation/child</p> <p>10 endangerment case.</p> <p>11 Q. Okay. And where would that information have</p> <p>12 come from?</p> <p>13 MR. MAYE: Object to form.</p> <p>14 THE WITNESS: Well, we -- I'm sorry.</p> <p>15 Well, to me, it's coming from airport control,</p> <p>16 but, for them, it would have to come from within the</p> <p>17 aircraft itself.</p> <p>18 BY MR. McKAY:</p> <p>19 Q. Okay. All right. And what did you do next</p> <p>20 upon obtaining this information?</p> <p>21 A. I alerted my officers. I believe I took two or</p> <p>22 three officers to prep them to go out to the call</p> <p>23 because it takes sometimes a good 10 to 15 minutes to</p> <p>24 get to that destination from where we are. And due to</p> <p>25 the -- the names -- the names were somewhat unique to</p>
<p style="text-align: right;">11</p> <p>1 control center.</p> <p>2 Q. Okay. But as far as the information of the</p> <p>3 full names of Mr. DelVecchia and his son, where do you</p> <p>4 think that information would have come from before</p> <p>5 getting to you?</p> <p>6 MR. MAYE: Object to form.</p> <p>7 BY MR. McKAY:</p> <p>8 Q. Go ahead.</p> <p>9 A. Okay. That -- that information would have had</p> <p>10 to come from, basically, the -- the pilot or the copilot</p> <p>11 to --</p> <p>12 Q. Okay.</p> <p>13 A. -- ACC, airport control center.</p> <p>14 Q. If -- is there a possibility that if the pilot</p> <p>15 and copilot didn't have the information, that it would</p> <p>16 come from somebody at the airline?</p> <p>17 A. That's a possibility, but that would -- the</p> <p>18 airport control center would have to initiate that call</p> <p>19 to them.</p> <p>20 Q. So when you received -- and, I'm sorry, I keep</p> <p>21 hearing some kind of a radio. Is that your end?</p> <p>22 A. No. I have no radio on. I can -- let me --</p> <p>23 let me disconnect my Bluetooth. Maybe that will help.</p> <p>24 One second.</p> <p>25 Q. Okay.</p>	<p style="text-align: right;">13</p> <p>1 me. So I actually did a quick Google of the names.</p> <p>2 Q. Okay. And did you find anything on the</p> <p>3 Internet?</p> <p>4 A. I did. I found a picture of the minor.</p> <p>5 Q. Okay. Of A.D.?</p> <p>6 A. Yes.</p> <p>7 Q. And what did that picture show?</p> <p>8 A. Initially, actually, to my own failure, I</p> <p>9 thought I was looking at a young, like, African-American</p> <p>10 male in a football jersey. I later found out it was</p> <p>11 actually a hockey jersey --</p> <p>12 Q. Okay.</p> <p>13 A. -- highlighting, I guess, the fact that he</p> <p>14 could play hockey really well.</p> <p>15 Q. And did you see any text accompanying the</p> <p>16 photograph that gave any background information?</p> <p>17 A. It just said -- it just said his name and the</p> <p>18 fact that he was a very good hockey player in that</p> <p>19 air- -- like, in the North Carolina area, North Carolina</p> <p>20 area.</p> <p>21 Q. Did you find anything on his father?</p> <p>22 A. No, sir. No.</p> <p>23 Q. Okay. So at this point, you knew that the</p> <p>24 names -- and you -- did you know that they were father</p> <p>25 and son?</p>

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<p>14</p> <p>1 A. I -- I just -- actually, based on the</p> <p>2 descriptions we were given, I just assumed it was</p> <p>3 possibly, like, an adoptive situation.</p> <p>4 Q. Okay. But you did know that they both shared</p> <p>5 the same surname?</p> <p>6 A. Yes, sir.</p> <p>7 Q. Okay. Now, in terms of -- you said it took</p> <p>8 about 15 minutes from where you are. So at that point</p> <p>9 in time, is this a police station within the airport?</p> <p>10 A. Yes. We had -- actually have two police</p> <p>11 stations, one at Terminal 1 and one at Terminal 3, that</p> <p>12 we are based out of, and then we either drive out to the</p> <p>13 gate, or we can take the tram transport out to the gate.</p> <p>14 Q. And do you remember which of the two stations</p> <p>15 you were in?</p> <p>16 A. I was at 3. My office is at Terminal 3.</p> <p>17 Q. Okay. And as far as the aircraft arriving, did</p> <p>18 you know which terminal it was coming into?</p> <p>19 A. Yes, sir. Well, that's what regulates which</p> <p>20 supervisor or which units handle the call. Frontier is</p> <p>21 a Terminal 3 ticketing station; so it makes it my</p> <p>22 responsibility. And I honestly do not remember if my</p> <p>23 partner, the other sergeant, was on that night or not</p> <p>24 or to -- I don't believe he --</p> <p>25 Q. Okay.</p>	<p>16</p> <p>1 passengers coming off of the plane and entering the</p> <p>2 jetway?</p> <p>3 A. Yes, sir.</p> <p>4 Q. Okay. And what did you observe from the point</p> <p>5 that you got to the door of the aircraft?</p> <p>6 A. Quite a few passengers coming off. Some were</p> <p>7 kind of, like, mumbling about what was going on. It was</p> <p>8 kind of hard -- it was -- like I say, if you've been on</p> <p>9 a plane, everybody is just trying to get off. So people</p> <p>10 were just -- you could hear kind of, like, mumbblings of</p> <p>11 something happening.</p> <p>12 Q. So are you saying that the mumbling that you</p> <p>13 heard was relevant to the situation that had caused you</p> <p>14 to come to the airplane?</p> <p>15 A. Yes, sir.</p> <p>16 Q. And do you remember any details at all of</p> <p>17 what --</p> <p>18 A. I'm sorry. I remember one lady making a</p> <p>19 statement along the lines of, you know, like, "That was</p> <p>20 wrong" kind of a deal, and then walking away.</p> <p>21 Q. Okay.</p> <p>22 A. Basic -- yeah. But like I say -- but at this</p> <p>23 point, like I say, because that's quite normal anytime</p> <p>24 we go to an aircraft to have, you know, people with</p> <p>25 their opinions leaving the aircraft.</p>
<p>15</p> <p>1 A. So I was probably in charge of the whole</p> <p>2 airport anyway.</p> <p>3 Q. Okay. So after you got the information, you</p> <p>4 say that you met with three of your officers?</p> <p>5 A. I believe three. I believe three. Just --</p> <p>6 yeah.</p> <p>7 Q. Okay. And then what -- what happened next?</p> <p>8 A. We basically waited for the aircraft to arrive</p> <p>9 at the gate and made contact with all the parties</p> <p>10 involved.</p> <p>11 Q. Okay. So when the aircraft arrived at the</p> <p>12 gate, where were you and the officers relative to the</p> <p>13 door of the airplane?</p> <p>14 A. We're right outside the door. Well,</p> <p>15 actually -- yeah, once it -- once it's secure to the --</p> <p>16 I'm forgetting the name for it.</p> <p>17 Q. The jetway?</p> <p>18 A. Yes, the jetway. Sorry.</p> <p>19 Q. Sure.</p> <p>20 A. So once that's secure, because no one can</p> <p>21 really be on it except for the workers prior to the</p> <p>22 plane being secure on it. Once that's secured and they</p> <p>23 open the door, then we usually go down the jetway to</p> <p>24 wait for the -- the parties involved.</p> <p>25 Q. Okay. So would you have then watched</p>	<p>17</p> <p>1 Q. Okay.</p> <p>2 A. Yeah.</p> <p>3 Q. And did you at any time interact with</p> <p>4 representatives of the airline at the plane?</p> <p>5 A. Um, you mean that were not part of the crew?</p> <p>6 Q. No. Actually, I should have rephrased that</p> <p>7 differently.</p> <p>8 A. Okay.</p> <p>9 Q. Did you interact with any of the crew of the</p> <p>10 flight?</p> <p>11 A. Yes, sir.</p> <p>12 Q. Okay. And who were they?</p> <p>13 A. The -- I remember speaking briefly to the</p> <p>14 pilot, and then there was a -- a black male attendant</p> <p>15 and a white female attendant.</p> <p>16 Q. Okay. Let's start with the pilot. What --</p> <p>17 what did you talk with the pilot about?</p> <p>18 A. The pilot basically stated to me that he called</p> <p>19 it in because he had all of his attendants, as he put</p> <p>20 it, coming to him saying something was wrong. I'm not</p> <p>21 sure what his criteria to call us is, but he was kind of</p> <p>22 explaining to me that, you know, he had his crew telling</p> <p>23 him something was wrong. So that's why he called it in.</p> <p>24 Q. Okay. And did he provide any other details</p> <p>25 about what "it" was?</p>



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<p>18</p> <p>1 A. No, because he -- he was not a witness or part 2 of that. He just was, you know, the -- I guess the 3 message conveyor. 4 Q. Okay. And how about the male and female flight 5 attendant, what did they -- 6 A. Ah -- I'm sorry. The male didn't say much. 7 The female stated, "I'm not sure they're even 8 related" -- 9 Q. Okay. 10 A. -- is what she said. 11 Q. All right. Did she say that to you? 12 A. Yeah, well -- yes. But it was -- well, my 13 officers are really doing the investigation. I just 14 supervise. I was, you know, more overseeing, but I'm 15 standing -- it's a very small space -- 16 Q. Okay. 17 A. -- in that opening because all the other -- we 18 had let everybody else kind of come off the plane. 19 Q. Right. 20 Did she elaborate at all on what she meant by 21 saying that she's not sure they're even related? 22 A. She mentioned the fact -- the fact that -- 23 because I had not visually seen them yet -- the fact 24 that he was a middle-aged white man and it was a younger 25 black male. And also something about a class that she</p>	<p>20</p> <p>1 Oh, I'm sorry. 2 She basically stated that she saw the -- the -- 3 I guess, A.D. put his head into the lap of Mr. -- the -- 4 the adult, and then the adult was rubbing -- rubbing his 5 face affectionately, as she put it, and that she thought 6 it was maybe too affectionate for an adult male and a 7 young boy. 8 Q. Okay. Did she say anything else? 9 A. No, not really. Just the fact that she -- it 10 was -- she thought it was, you know, wrong, and it made 11 her uncomfortable and that she alerted her coworkers. 12 Q. Okay. And that that was -- she told you that 13 was based on a class that she had taken. Did she 14 indicate that was with the airline or given by the 15 airline? 16 A. Well, she didn't say it was based on the class. 17 She was just kind of talking about this class that they 18 had taken. You know, not -- she didn't say, hey, I took 19 a class, and I saw this and this. She just kind of 20 mentioned a reference to class. And I -- and, yes, she 21 said it was a class that she -- it was given to her by 22 the airlines. 23 Q. Okay. And we have in this case three female 24 flight attendants. One was very dark brunette hair and 25 two are more or less blond.</p>
<p>19</p> <p>1 had taken. 2 Q. A class. 3 A. Yeah, some -- it -- I'm sorry. Say -- repeat 4 again, sir. 5 Q. No, I'm sorry. I interrupted you. Go ahead 6 and say what she said. 7 A. Oh, she -- she was basically -- they were 8 talking about -- she was talking about a class, which 9 I -- which I took to be more of a, kind of like a human 10 trafficking/child endangerment class that they give the 11 airlines for -- to look for, like, warning signs of 12 these type things. 13 Q. Okay. And did she mention any signs other than 14 the fact that it was a middle-aged white man with a 15 younger black male? 16 MR. MAYE: Object to form. 17 THE WITNESS: She -- 18 BY MR. McKAY: 19 Q. You can go ahead. 20 A. Okay. Well, she -- she basically described 21 what she saw as, you know, the wrong action and what 22 caused her to react -- 23 Q. And what was that? 24 A. -- and why she alerted her people. 25 She -- I'm sorry. Somebody else is talking.</p>	<p>21</p> <p>1 A. Yes. 2 Q. Do you remember -- 3 A. Yeah. 4 Q. -- the color of hair? 5 MR. MAYE: Object to form. 6 THE WITNESS: Yeah, she -- she was blond, and 7 she was actually kind of tall. 8 BY MR. McKAY: 9 Q. She was blond and kind of tall? 10 A. Yes, sir. 11 Q. Okay. All right. How about age? 12 A. I would give her between -- I would say 25 to 13 30. 14 Q. Okay. Did she indicate that she had any 15 children of her own? 16 A. I do not recall that. No, I don't recall that. 17 Q. Okay. All right. Did you at any point see the 18 other female flight attendants? 19 A. They were kind of in the background but had, 20 really, nothing to say. 21 Q. Okay. Just trying to zero in on -- on which of 22 the ones you talked to. 23 So when you saw the other flight attendants, 24 was one a dark brunette and the other a blond? 25 MR. MAYE: Object to form.</p>

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<p style="text-align: right;">22</p> <p>1 THE WITNESS: I do remember one with darker  2 hair. I don't really remember another blond, to be  3 honest with you.  4 BY MR. McKAY:  5 Q. Do you remember whether the other one that was  6 in the background was younger or older than the one who  7 said she didn't believe they were related?  8 A. The other one was a little bit older, looked at  9 least to me. I'm --  10 Q. Okay. Yeah.  11 A. She looked a little bit older.  12 Q. Okay. Fair enough. Thank you.  13 So what happened then after you received this  14 information from the flight attendants?  15 A. Also -- so we already had -- because of the  16 type of case it is, it's not actually a local police  17 department's jurisdiction. It's actually a case for the  18 FBI. So I had already called the FBI agents about what  19 was going on. So our job -- well, my job at the time  20 was to determine if there was actually, you know, enough  21 speculation to detain for the FBI.  22 Q. Okay. And what did you determine?  23 A. Well, we determined basically, based on her  24 accusation, that there was at least enough to detain and  25 let the FBI come out. And because of the child's age, I</p>	<p style="text-align: right;">24</p> <p>1 there.  2 Q. Okay. So let's just concentrate, then, on what  3 you did after making that call. Did you take any  4 statements from the flight attendants?  5 A. My officers gave them voluntary statements  6 with, you know, just a -- what we have is just a Metro  7 basic voluntary form.  8 Q. Okay.  9 A. And then basically -- I believe one of the  10 officers waited for those forms, because it takes  11 sometimes a good 15, 20 minutes for them to complete it  12 and doing their regular job as well. And then we  13 transported, basically, the adult and minor back to  14 Terminal 3 Substation.  15 Q. Okay. Before I ask you about that, let me just  16 share my screen with you and show you some of these  17 statements.  18 Hang on just a second. I'm not getting the  19 exact document I want, and, for some reason, Zoom isn't  20 allowing me to get rid of this thing here. Let's see.  21 Can you see the screen now?  22 A. Yeah, kind of. It's -- oof, okay. Let me  23 see --  24 Q. Trying to --  25 A. One second while I turn my garage light on. If</p>
<p style="text-align: right;">23</p> <p>1 requested they bring out, like, a forensic specialist  2 that knew how to speak to children and not mislead them.  3 Q. Okay. And how did you make these requests?  4 Was that by walkie-talkie or something?  5 A. No. No, sir. We have a -- it's kind of, like,  6 a in-the-bucket phone number, like, a central phone  7 number to the FBI on-call agents, and then you just --  8 you just call. You know, they tell you, yeah, we'll be  9 there.  10 I want to say they got there, actually, pretty  11 quick. Maybe 30 to 45 minutes, or so. And they'll let  12 you know, yes, we're en route. Take them to your  13 substation, and they'll come, or sometimes they'll say  14 can you just do a quick written report, you know,  15 release them, and we'll pick up the report and do a  16 follow-up.  17 Q. Okay. And do you recall what they said to you  18 on this occasion?  19 A. Yes. They asked us to detain for them, and  20 they would be en route with a -- a specialist that could  21 interview the minor.  22 Q. Okay. And as far as you knew, were these  23 agents who were based in the area?  24 A. Yes, sir. Yes, sir. Because they were all  25 there within -- within an hour, they had a -- a team</p>	<p style="text-align: right;">25</p> <p>1 it's me or it's just --  2 Q. Okay.  3 A. -- rather small.  4 Q. Sure.  5 A. Yeah, I can see the form, but it's, like -- ah,  6 okay. Let me try to --  7 Q. Okay.  8 A. Yeah, somewhat hard to read. Is there a way to  9 blow it up more or no?  10 Q. I'm going to try. Let's see.  11 A. Oh, there you go. Okay.  12 Q. Is that helpful?  13 A. Yeah. Yeah, that --  14 Q. Okay.  15 A. Okay.  16 Q. First of all, is this -- is this the voluntary  17 statement form you were referring to?  18 A. Yes, sir.  19 Q. Okay. And I see an event number there. Whose  20 event number is that?  21 A. That would be our -- that would be Metro's  22 because an event number is generated for any --  23 anything. Any -- even just a -- stopping a person to  24 talk to. If you call it out over the radio, an event  25 number is created.</p>



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<p>26</p> <p>1 Q. Okay. Now, if we were to contact the police 2 department and give them this event number, would there 3 be a -- any kind of file materials attached to it? 4 A. Only these voluntary statements because it's 5 not -- because there's no report generated because it's 6 not our crime, I guess, is the way to say it; it's the 7 FBI's. So even if we had -- oh, sorry. Go ahead. 8 Q. No, that's that echo. I don't know where it's 9 coming from. 10 A. Yeah, it's not my end because I have absolutely 11 nothing else on in my garage. So -- 12 Q. Okay. 13 A. Yeah, but we -- so we -- being that we did no 14 report, then the only thing -- and, actually, even -- 15 even these voluntary statements, because they were given 16 to the FBI, may not be attached, to be honest with you. 17 Q. Okay. 18 A. Yeah. 19 Q. Is there -- is there any kind of file folder 20 or -- or electronic folder that is opened up for an 21 event number like this? 22 A. Normally, like I say, only if we're doing a 23 report. And there's also -- how do I explain this? 24 So airport control center is not part of Metro 25 Police. It's actually part of the airport or Clark</p>	<p>28</p> <p>1 I've got it blown up so that I'll just try to move back 2 and forth, if that helps you. 3 And I'll also tell you that I'm not going to 4 ask you about any of the details of what's written. I 5 just want to ask you if this is one of the statements 6 that you or -- or your officers took of one of the 7 flight attendants. 8 A. Yes, it is. Actually, if you can go down, it 9 will show the -- maybe they redacted it, but usually it 10 will show the officer that -- 11 Q. Yeah, they've re- -- 12 A. -- signed it to say -- 13 Q. They redacted every name, every signature. 14 A. Okay. Okay. Yeah, because that's not mine -- 15 yeah, one of our officers will fill in the addresses in 16 the bottom -- 17 Q. Okay. 18 A. -- and the full -- yeah, so -- but that is -- 19 that is definitely one of our -- our forms and appears 20 to be one of the forms that we collected. 21 Q. Okay. And I'm just going to show you very 22 quickly another one that's already been identified by 23 Flight Attendant Bond as Bond Exhibit 7. And, just 24 generally, is that also one of the forms that was given 25 to one of the flight attendants to fill out?</p>
<p>27</p> <p>1 County Aviation. So anything they do when I -- so when 2 I speak to an airport controller, they then have to call 3 Las Vegas Metro dispatcher, and it's kind of like a 4 triple relay. 5 So on a normal thing, everything I say over the 6 radio, a police dispatcher would record. With the 7 airport controller, they're not trained that way. So 8 the same -- do you understand? Do you understand what 9 I'm saying? 10 Q. Okay. So -- so you were in contact with the 11 airport control center rather than your own police 12 dispatch. 13 Is that what you're saying? 14 A. Yes. Yes. The airport is unique in that way, 15 where we're basically, you know, like, the enforcement 16 arm of Clark County Aviation. So we don't have our own 17 dispatcher. She dispatches police, cleaners, anybody 18 you can think of to be dispatched. 19 Q. Okay. Let me just let you look at the 20 statement here, and I will tell you there are white 21 blocks of redactions of information, and that is how 22 they came to us from the FBI; so the FBI applying its 23 procedures with redacted information. But if you can 24 look through what's left, and I'll just ask you a few 25 questions about this when you've had a chance to look.</p>	<p>29</p> <p>1 A. Yes, sir. 2 Q. Okay. And I'm going to show you what's been 3 previously marked in a deposition as Nickel Exhibit 2 4 and identified by her, Ms. Amanda Nickel, as her 5 statement. And I'll ask you, is this also one of the 6 voluntary statement forms that your officers gave to one 7 of the flight attendants? 8 A. Yes, sir. 9 Q. Okay. And I'll show you, finally, the fourth 10 one that's been identified as Warren Exhibit 4, and it 11 was identified by Flight Attendant Mr. Warren as his 12 statement. Is this also a voluntary statement that was 13 given by your police officers to the flight attendants? 14 A. Yes, sir. 15 Q. Okay. Now, bear with me just a second. I'm 16 going to stop sharing, and I'm going to find a document 17 that shows pictures of all the flight attendants that's 18 been produced by Frontier, and I'll put that up on the 19 screen in just a second. 20 A. Okay. 21 Q. Okay. Okay. Do you see the four pictures 22 there? 23 A. Yes, sir. 24 Q. All right. And let me ask you if you can 25 identify, first of all, the gentleman. Is that the male</p>

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<p>30</p> <p>1 flight attendant that you saw?</p> <p>2 A. Yes, sir.</p> <p>3 Q. Okay. Now, of the other three, can you</p> <p>4 identify which one was with him that said she didn't</p> <p>5 think that they were related?</p> <p>6 MR. MAYE: Object to form. That</p> <p>7 mischaracterizes previous testimony.</p> <p>8 BY MR. McKAY:</p> <p>9 Q. All right. Well, I'll ask it a different way,</p> <p>10 then, sir.</p> <p>11 Can you identify the flight attendant that you</p> <p>12 saw standing with the male flight attendant when you</p> <p>13 spoke first to the flight attendants at the airplane?</p> <p>14 A. Do you want me to say her name or just the</p> <p>15 description?</p> <p>16 Q. Yeah, well, if you -- if you can identify her</p> <p>17 by her name, that would be very helpful.</p> <p>18 A. It's Amanda Nickel.</p> <p>19 Q. Okay. And you're sure that's the one that --</p> <p>20 that you saw standing with the male flight attendant.</p> <p>21 A. Yes, sir. Her hair appeared a little lighter</p> <p>22 that day, but that's --</p> <p>23 Q. Okay.</p> <p>24 A. -- that's her.</p> <p>25 Q. Very good.</p>	<p>32</p> <p>1 BY MR. McKAY:</p> <p>2 Q. Yes. You can go ahead, yeah.</p> <p>3 A. Okay. I think if Mrs. Bright had blond hair,</p> <p>4 which is kind of hard to imagine her in, then it would</p> <p>5 make their faces somewhat similar. And, yeah, I -- like</p> <p>6 I say, yeah, that would -- I would have to go back</p> <p>7 and -- if I had access to my old camera. But if she had</p> <p>8 blonder, lighter hair, yeah, it would -- it would kind</p> <p>9 of be a toss-up between the two of them, in honesty.</p> <p>10 Q. Okay. So you brought up an interesting point.</p> <p>11 Did you take photographs when you arrived at the</p> <p>12 airplane?</p> <p>13 A. My body-worn camera was running.</p> <p>14 Q. Okay. And would that have been given back to</p> <p>15 the police department?</p> <p>16 A. Yes, sir. That -- because it's -- at the end</p> <p>17 of every shift, it's plugged in and uploaded</p> <p>18 automatically into our system.</p> <p>19 Q. Okay. So that recording should be available if</p> <p>20 we were to ask the police department for it?</p> <p>21 A. Yes, sir. Of every -- every officer involved</p> <p>22 in the call has to have their body camera on unless it's</p> <p>23 something private and personal.</p> <p>24 Q. Okay. And do you -- do you know how long</p> <p>25 that -- those tapes are kept?</p>
<p>31</p> <p>1 And just to be sure, if I told you that</p> <p>2 Ms. Bright down below here is depicted with darker hair</p> <p>3 than she apparently had in 2019, would that make any</p> <p>4 difference?</p> <p>5 MR. MAYE: Object to form.</p> <p>6 THE WITNESS: It --</p> <p>7 BY MR. McKAY:</p> <p>8 Q. Go ahead.</p> <p>9 A. Oh.</p> <p>10 Because I -- in my memory, I remember seeing</p> <p>11 two flight attendants with lighter hair.</p> <p>12 Q. Right.</p> <p>13 So what I'm -- what I'm just trying to make</p> <p>14 sure, these are, apparently, photographs that were taken</p> <p>15 perhaps the day these folks were hired.</p> <p>16 A. Okay.</p> <p>17 Q. And their -- we have taken Ms. Bright's</p> <p>18 deposition, and in it she had lighter hair.</p> <p>19 So what I'm saying is if Ms. Bright had</p> <p>20 appeared with lighter hair on the evening that you were</p> <p>21 at the airplane, would that change your mind as to who</p> <p>22 you saw, or are you positive upon facial features that</p> <p>23 it was Ms. Nickel?</p> <p>24 MR. MAYE: Object to form.</p> <p>25 THE WITNESS: Can I go ahead or --</p>	<p>33</p> <p>1 A. I believe there's -- it's quite long. It has</p> <p>2 to be, like, a four-, five-year for noninvolved type</p> <p>3 things like something minor.</p> <p>4 Q. Okay.</p> <p>5 A. But it's quite a long time. It's quite --</p> <p>6 Q. Okay.</p> <p>7 A. -- a long time.</p> <p>8 Q. I'm going to ask you to bear with me just</p> <p>9 another second while I locate a photograph of Ms. Bright</p> <p>10 at the time of her deposition, and then I'll ask you a</p> <p>11 question about it.</p> <p>12 All right, sir. I'm showing you what I will</p> <p>13 have marked as Obasi Exhibit 2. We'll -- we'll mark the</p> <p>14 first statement, voluntary statement, that I showed you</p> <p>15 as Exhibit 1. So will this will be -- this photograph</p> <p>16 will be Exhibit 2.</p> <p>17 (Exhibits 1 and 2 were identified for</p> <p>18 the record.)</p> <p>19 BY MR. McKAY:</p> <p>20 Q. And I represent to you that this was a -- this</p> <p>21 is a still taken from the video of the deposition of</p> <p>22 Chelsie Bright on December 3 of 2019. And you can see</p> <p>23 there that her hair is a bit lighter than it was -- and</p> <p>24 longer than it was depicted in the photograph I showed</p> <p>25 you a minute ago.</p>

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<p>34</p> <p>1 Is -- is this, then, the woman that you saw</p> <p>2 outside the plane?</p> <p>3 A. I would have to say she looks a lot closer to</p> <p>4 what I remember, but not the -- I don't remember her</p> <p>5 hair being down, to be honest with you, I thought it was</p> <p>6 up.</p> <p>7 Q. Okay.</p> <p>8 A. But this looks a lot closer to the person I</p> <p>9 remember.</p> <p>10 Q. Okay. So in terms of the woman who mentioned</p> <p>11 something about having taken a class, you think that it</p> <p>12 was this woman depicted in Exhibit 2?</p> <p>13 MR. MAYE: Object to form.</p> <p>14 BY MR. McKAY:</p> <p>15 Q. You can go ahead.</p> <p>16 A. Yes, sir.</p> <p>17 Q. Okay. All right. Thank you.</p> <p>18 Okay. So you indicated that you thought the</p> <p>19 other officers, or at least one of them, stayed behind</p> <p>20 to wait for the statements to be done. What did you,</p> <p>21 yourself, do next?</p> <p>22 A. We transported the adult and minor, if I</p> <p>23 remember correctly, separately back to the station.</p> <p>24 Q. How --</p> <p>25 A. I --</p>	<p>36</p> <p>1 son?</p> <p>2 A. The son.</p> <p>3 Q. All right. And did you have any conversation</p> <p>4 with him as you were traveling back to the station?</p> <p>5 A. Yes, sir.</p> <p>6 Q. All right. And what was that conversation?</p> <p>7 What do you remember about it?</p> <p>8 A. Well, one, one very articulate young man. And</p> <p>9 the first thing he basically said to me is that he knew</p> <p>10 why this was happening.</p> <p>11 Q. Okay. And what did he say about that?</p> <p>12 MR. MAYE: Object to form.</p> <p>13 BY MR. McKAY:</p> <p>14 Q. You can go ahead. Anytime an objection is</p> <p>15 made, you don't have to wait for me to tell you it's</p> <p>16 okay to go ahead.</p> <p>17 A. Oh, okay. Yeah.</p> <p>18 Q. You can just go ahead.</p> <p>19 A. I was just giving the pause.</p> <p>20 But -- so he basically said it happened -- it</p> <p>21 had happened before where they were separated by law</p> <p>22 enforcement, and it was because his father was black --</p> <p>23 was white and he was black --</p> <p>24 Q. Okay.</p> <p>25 A. -- is what the young man told me.</p>
<p>35</p> <p>1 Q. -- did you do that?</p> <p>2 A. By vehicle.</p> <p>3 Q. Okay.</p> <p>4 A. And because we -- we have the ability to park</p> <p>5 pretty much under the aircraft and then used the</p> <p>6 off-ramp of the jetway so we don't have to -- because</p> <p>7 it's actually -- where the planes land at -- well,</p> <p>8 sorry. It's Reid Airport now -- it's actually an</p> <p>9 island.</p> <p>10 So to -- you have to drive out, like I said, or</p> <p>11 take a tram. So we had -- some of our officers will</p> <p>12 take cars out and some of us will take the tram out, but</p> <p>13 we basically transported them back to Terminal 3.</p> <p>14 Q. Okay. And I'm going to show you another</p> <p>15 picture here in just a second.</p> <p>16 All right. I'm showing you here what we're</p> <p>17 going to mark as Obasi Exhibit 3.</p> <p>18 (Exhibit 3 was identified for the</p> <p>19 record.)</p> <p>20 BY MR. McKAY:</p> <p>21 Q. And I'll ask you if the gentleman in this</p> <p>22 picture is the gentleman that you say you transported</p> <p>23 from the plane.</p> <p>24 A. Yes, sir.</p> <p>25 Q. Okay. And so did you go with the father or the</p>	<p>37</p> <p>1 Q. Did he give you any specifics about that?</p> <p>2 A. Not locationwise. He just -- he just said --</p> <p>3 and he also spoke of a couple of kind of, like, racially</p> <p>4 based incidences in North Carolina that he felt, you</p> <p>5 know, made him uncomfortable because of his -- of his</p> <p>6 being different from his father. And also -- and</p> <p>7 being -- playing hockey, he said.</p> <p>8 Q. Okay. And I'm sorry, just to clarify, things</p> <p>9 that happened while he was playing hockey or things that</p> <p>10 happened to him because he played hockey?</p> <p>11 A. I would say just due to being involved in</p> <p>12 hockey in the sport itself.</p> <p>13 Q. Okay. All right. Did he indicate to you</p> <p>14 that -- that he felt that a young black man playing</p> <p>15 hockey was -- was different, seen as different by</p> <p>16 people?</p> <p>17 MR. MAYE: Object.</p> <p>18 BY MR. McKAY:</p> <p>19 Q. Is that what you would say?</p> <p>20 MR. MAYE: Object to form.</p> <p>21 THE WITNESS: Yes, he did. Yes, he did.</p> <p>22 Especially -- he actually mentioned the fact of because</p> <p>23 of the area they lived in, he felt that, you know, it</p> <p>24 wasn't as accepted.</p> <p>25 /////</p>

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<p>38</p> <p>1 BY MR. McKAY:</p> <p>2 Q. Okay. All right. And did -- did he say</p> <p>3 anything else to you, or did you say anything to him</p> <p>4 as -- as you were traveling back to the station?</p> <p>5 A. No, sir. I was -- I was actually very careful</p> <p>6 not to have him speak about what occurred on the</p> <p>7 aircraft because, you know, that wasn't -- I felt like</p> <p>8 that's something I would leave for the -- the FBI when</p> <p>9 they arrived. So I just tried to, you know, speak about</p> <p>10 any -- he talked about his -- I want to say adopted</p> <p>11 sister becoming a doctor and maybe -- and losing his</p> <p>12 mom. I believe his mom had recently passed. So just</p> <p>13 other conversation to kind of keep him away from the</p> <p>14 incident at hand because I didn't want to --</p> <p>15 Q. Okay.</p> <p>16 A. -- refer to that.</p> <p>17 Q. And so you were accompanying him, A.D. Did you</p> <p>18 have any knowledge as to how the father was going to get</p> <p>19 to the police station?</p> <p>20 A. Yes. The same way. He was going to be</p> <p>21 transported, but we -- I already had told my officers to</p> <p>22 basically have a holding area, what we call a cell.</p> <p>23 It's more of a room, a camera-monitored room. And I</p> <p>24 would take the minor to our conference room. And I also</p> <p>25 instructed them -- because we had initially handcuffed</p>	<p>40</p> <p>1 RV -- if I remember correctly, something about an RV</p> <p>2 ride, and he mentioned Zion, I remember.</p> <p>3 Q. Okay.</p> <p>4 A. And that was really kind of, you know, as far</p> <p>5 as what he knew of the plans, I should say.</p> <p>6 Q. I see. Okay. Now, how did he seem to you at</p> <p>7 that point in time?</p> <p>8 A. Surprisingly -- and what -- I have to use the</p> <p>9 word impressed. He was actually a very calm young man.</p> <p>10 He kind of seemed to understand what was going on. He</p> <p>11 wasn't, like, afraid of us or for his dad, and I tried</p> <p>12 to assure him that, you know, we meant him no harm.</p> <p>13 This was just a -- some, basically, steps we had to go</p> <p>14 through to clear, you know, what -- the incident.</p> <p>15 Q. All right. How about his overall mood?</p> <p>16 What -- what did he appear like?</p> <p>17 A. He seemed a little -- I mean, he was obviously</p> <p>18 not -- you might say disappointed, maybe, might be the</p> <p>19 best way to do it because it had interrupted his trip,</p> <p>20 you know, and what you are going to do. But I think --</p> <p>21 I tried my best to just make him comfortable and assured</p> <p>22 him it would be over soon.</p> <p>23 Q. Okay. Now, you, by this point, had spent</p> <p>24 around two decades with the police force; correct?</p> <p>25 A. Yes, sir.</p>
<p>39</p> <p>1 him. So I told him once we -- once we got into the area</p> <p>2 where he was secured and an officer was watching him all</p> <p>3 the time, to go ahead and take the handcuffs off.</p> <p>4 Q. So just so we're clear, who had handcuffs on?</p> <p>5 A. Mr. -- is it DelVecchio [sic]? The dad, the</p> <p>6 adult.</p> <p>7 Q. Okay. Okay. Did the son as well?</p> <p>8 A. No, sir. Not at any point.</p> <p>9 Q. Okay.</p> <p>10 A. No, sir.</p> <p>11 Q. Okay. All right. So -- so the father was</p> <p>12 transported in handcuffs, and the son was not; correct?</p> <p>13 A. Yes, sir. Yes, sir.</p> <p>14 Q. Okay. All right. So when you got back with</p> <p>15 the son, what -- what happened next?</p> <p>16 A. I -- I took him into the conference room of the</p> <p>17 station, and I believe I got him some snacks, because we</p> <p>18 have a pretty big snack area, and just -- we kind of</p> <p>19 just had small chitchat about stuff and his -- what</p> <p>20 his father had planned for him for travel and whatnot,</p> <p>21 just trying to make small talk to keep him comfortable</p> <p>22 and build a rapport.</p> <p>23 Q. Do you remember what he had said about the</p> <p>24 plans that they had?</p> <p>25 A. He said -- he said something about hiking and</p>	<p>41</p> <p>1 Q. Okay. Had you -- during that time, had you had</p> <p>2 cases of children who were being trafficked?</p> <p>3 A. Not -- not trafficked, sir, no.</p> <p>4 Q. How about -- did you have any training about</p> <p>5 human trafficking?</p> <p>6 A. Yes, sir.</p> <p>7 Q. Okay. Did anything that you saw of A.D.</p> <p>8 suggest to you, based on that training, that he looked</p> <p>9 like somebody who was a subject or a participant in</p> <p>10 human trafficking?</p> <p>11 MR. MAYE: Object to form.</p> <p>12 THE WITNESS: No, sir. And if I could clarify,</p> <p>13 when you say "trafficking," are you also including,</p> <p>14 like, molestation and stuff like that?</p> <p>15 BY MR. McKAY:</p> <p>16 Q. I didn't hear you.</p> <p>17 A. I'm sorry. When you -- when you say</p> <p>18 "trafficking," are you also including, like, child</p> <p>19 molestation and those type of things or just -- or just</p> <p>20 the fact of trafficking?</p> <p>21 Q. I was going to ask you those separately, if</p> <p>22 that's --</p> <p>23 A. Oh, okay.</p> <p>24 Q. -- okay.</p> <p>25 A. Yeah. Okay. Okay.</p>



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<p style="text-align: right;">42</p> <p>1 Q. All right. So when I'm talking about</p> <p>2 trafficking, I'm talking about taking somebody against</p> <p>3 their will or -- or under some form of duress to</p> <p>4 someplace that they otherwise wouldn't have chosen to</p> <p>5 go.</p> <p>6 A. Yes. And no -- no signs of that whatsoever.</p> <p>7 Q. Okay. Now, how about have you -- have you had</p> <p>8 situations where you've had to investigate claims of</p> <p>9 child molestation?</p> <p>10 A. Unfortunately, yes.</p> <p>11 Q. Okay. Did A.D., as you viewed him that night,</p> <p>12 give any indications of being a victim of child</p> <p>13 molestation?</p> <p>14 MR. MAYE: Object to form.</p> <p>15 THE WITNESS: No, sir.</p> <p>16 BY MR. McKAY:</p> <p>17 Q. Okay. Now, did you stay with him the entire</p> <p>18 time that his father was being detained elsewhere?</p> <p>19 A. I think I briefly, maybe for a couple of</p> <p>20 minutes, walked -- because it's just, like, about a --</p> <p>21 say, maybe 30-yard difference between the conference</p> <p>22 room and our holding area, and I think I walked down in</p> <p>23 the very beginning for maybe two minutes, and that was</p> <p>24 to get, like, snacks and -- I can't remember if it was a</p> <p>25 soda or juice. But then, yes, I was in the room with</p>	<p style="text-align: right;">44</p> <p>1 So these were pretty much -- not -- well, I want to say</p> <p>2 new to me, probably not new to the area.</p> <p>3 Q. Okay.</p> <p>4 A. But they were just office -- you know, we -- I</p> <p>5 can't say I knew any of them personally, no.</p> <p>6 Q. Okay. Well, did you at any time -- either</p> <p>7 while they were questioning Mr. DelVecchia or after they</p> <p>8 had finished, did you have any conversation with them?</p> <p>9 A. Briefly as they were leaving because they --</p> <p>10 they -- because we usually wait for a decision, which is</p> <p>11 a hundred percent of the time, the FBI has never</p> <p>12 arrested anyone that we've detained. Usually it's --</p> <p>13 sorry.</p> <p>14 Q. That's the echo again. Sorry.</p> <p>15 A. Yeah.</p> <p>16 Yeah, normally it's a, okay, you know, thank</p> <p>17 you; we've done our report. They're going to be</p> <p>18 released. We get -- we usually get no follow-up</p> <p>19 whatsoever --</p> <p>20 Q. Okay.</p> <p>21 A. -- from -- yeah, from the FBI. So --</p> <p>22 Q. In this particular instance, did they make any</p> <p>23 kind of comments to you at all?</p> <p>24 A. Not really. They basically just said that they</p> <p>25 were going to release the -- the father and son and</p>
<p style="text-align: right;">43</p> <p>1 him the whole time.</p> <p>2 Q. When you did go in the vicinity of the holding</p> <p>3 area, were you able to look in and see Mr. DelVecchia?</p> <p>4 A. Yes, sir.</p> <p>5 Q. And how did he appear to you?</p> <p>6 A. He appeared frustrated, probably would be the</p> <p>7 best way -- he just seemed very frustrated that this was</p> <p>8 occurring. And I remember briefly speaking to him, you</p> <p>9 know, the fact of what was going to happen, you know,</p> <p>10 the FBI coming out and that his son was okay, that I</p> <p>11 would sit with him in the room myself.</p> <p>12 Q. Okay. So this was before the FBI had arrived?</p> <p>13 A. Yes, sir. Yeah, we had to wait -- I want to</p> <p>14 say it may have been close to an hour, but they were</p> <p>15 there pretty quickly as far as --</p> <p>16 Q. Okay.</p> <p>17 A. -- being called out from home.</p> <p>18 Q. And do you remember how long they spent with</p> <p>19 him after they arrived?</p> <p>20 A. I want to say it was -- it was well over --</p> <p>21 maybe like an hour, like, close to an hour and a half.</p> <p>22 Q. Okay. Now, did you know any of these FBI</p> <p>23 officers?</p> <p>24 A. There is -- not by name because the -- the</p> <p>25 regular -- our regular FBI officer had just transferred.</p>	<p style="text-align: right;">45</p> <p>1 that -- I believe that they were going to get with the</p> <p>2 airlines.</p> <p>3 Q. Okay. Get with the airlines for what purpose?</p> <p>4 A. I believe to --</p> <p>5 MR. MAYE: Object to form.</p> <p>6 THE COURT REPORTER: I'm sorry. I didn't hear</p> <p>7 the answer.</p> <p>8 THE WITNESS: Oh, because I stopped. Sorry.</p> <p>9 I believe -- I believe they were going to talk</p> <p>10 with the airlines to complete the other part of their</p> <p>11 investigation.</p> <p>12 BY MR. McKAY:</p> <p>13 Q. Okay. Do you -- did you have any knowledge of</p> <p>14 what that other part was?</p> <p>15 A. Not at all. Just being honest. The -- our --</p> <p>16 our relationship with the FBI is pretty much a one-way</p> <p>17 street.</p> <p>18 Q. I -- I sympathize -- I empathize.</p> <p>19 A. Yeah.</p> <p>20 Q. I think Mr. Maye will as well.</p> <p>21 A. Yeah.</p> <p>22 Q. Okay. So after the FBI departed, then, did you</p> <p>23 have any further conversations with either</p> <p>24 Mr. DelVecchia or A.D.?</p> <p>25 A. Yes, sir. We actually were outside of our</p>



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<p style="text-align: right;">46</p> <p>1 substation, and, you know, he was basically telling me  2 about -- I believe he talked -- was talking about his  3 daughter.  4 THE COURT REPORTER: Was talking about his...  5 THE WITNESS: Daughter.  6 BY MR. McKAY:  7 Q. Okay.  8 A. Yes.  9 Q. And what did he say about his daughter?  10 A. He was -- and if I remember correctly, he said  11 he -- his daughter had a -- was a doctor, something  12 those lines, and had graduated, was very proud of her.  13 And I believe he told me he was himself an educator,  14 something like that, and that he was doing a trip with  15 his son, you know, to kind of help, I guess, ease the  16 loss of his wife, and that -- that this -- this type of  17 thing had occurred before, and he was tired of it. And  18 he also mentioned -- and then he said outside of the  19 station, he -- he kind of described the way he was  20 separated from his son to me.  21 Q. What do you mean? Can you elaborate?  22 MR. MAYE: Object to form.  23 THE WITNESS: Yes.  24 Well, he said that basically his son was -- had  25 a headache, if I remember correctly, and he was</p>	<p style="text-align: right;">48</p> <p>1 MR. MAYE: Object to form.  2 THE WITNESS: Oh. Oh, well. You know what?  3 I'm sorry. I'm sorry.  4 Yes, Mr. DelVecchio did come back to our  5 station. I'm not -- I think he was -- oh, you know  6 what? Yes, you're right. I'm sorry. My bad. He did  7 come back to the station when he was leaving the state.  8 You're right.  9 BY MR. McKAY:  10 Q. Okay.  11 A. Yes.  12 Q. And why did he do that, do you know?  13 A. He -- I believe he --  14 MR. MAYE: Object to form.  15 THE WITNESS: I can't absolutely say why he did  16 it, but I believe he wanted to make contact with me.  17 BY MR. McKAY:  18 Q. Okay. So let me go back to my question, then.  19 In terms of the subject matter that was discussed that  20 you remember, are you -- do you know whether that --  21 that discussion with Mr. DelVecchia happened on the  22 night of the flight landing or when he came back to  23 leave the state?  24 A. I -- I remember -- I remember the night of the  25 flight him mentioning the way he was separated from his</p>
<p style="text-align: right;">47</p> <p>1 comforting him, and suddenly he felt like a -- what he  2 thought was maybe a slap or punch to the back of his  3 head and that he was told he had to go to the back of  4 the aircraft and sit next to a person -- I can't  5 remember if he told me it was male or female -- and that  6 somebody else sat next to his son.  7 He never -- no one ever really told us about  8 that part prior. Like I said, it was also an FBI case.  9 So we don't know if there were, like, U.S. Marshals or,  10 you know, like, flight marshals, as you call them, or  11 some random person on the plane. I don't really know  12 that part of it.  13 BY MR. McKAY:  14 Q. Okay. And are you sure that this conversation  15 that you just relayed was that night, or could it have  16 been at a different time?  17 MR. MAYE: Object to form.  18 THE WITNESS: Can you -- we only spoke -- I  19 only spoke to him that night. We've never spoken  20 afterwards.  21 BY MR. McKAY:  22 Q. I see. Okay.  23 You -- you believe -- as you remember things,  24 you don't -- you don't think that you spoke with  25 Mr. DelVecchia at any other time?</p>	<p style="text-align: right;">49</p> <p>1 son, and I think we kind of got back into that  2 conversation when he came back on his way out.  3 Q. Okay. Fair enough.  4 Do you remember talking with him about where he  5 was from when he grew up?  6 A. Well, he said he was from -- well, no -- well,  7 actually, he -- he was initially from New York but lived  8 in North Carolina.  9 Q. Okay. And where are you originally from?  10 A. Well, originally, I was born in the Caribbean,  11 in Barbados.  12 Q. Okay.  13 A. Grew up in the Bronx but went to school in  14 Brooklyn.  15 Q. Okay.  16 A. So we kind of -- yeah, and I believe -- if I  17 remember correctly, he was from Brooklyn.  18 Q. Okay. All right. Did you at any time give him  19 a business card?  20 A. Yes, I did.  21 Q. Okay. And why did you do that?  22 A. Just -- just being clear, I felt that what  23 happened or the miss- -- if you want to call it  24 misunderstanding -- I felt was wrong and -- and it seems  25 like he was always starting off on ground zero anytime</p>

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<p>50</p> <p>1 it happened. So I -- so I gave him my card and 2 basically told him if he was stopped by police, you 3 know, for this type of incident, that they could call me 4 and I would just, you know -- I could be, like, his -- 5 kind of say reference to say, yes, this is father and 6 son, and this has happened before. 7 Q. Okay. From your observation, what did you 8 conclude was -- was the reason for the event on the 9 airplane and them being separated? 10 MR. MAYE: Object to form. 11 THE WITNESS: Well, for me personally, I say -- 12 I think it was kind of -- you might call it reverse 13 racism and overzealousism. 14 BY MR. McKAY: 15 Q. Okay. And when you say "reverse racism," what 16 specifically do you mean? 17 A. I think when you have a middle-aged Caucasian 18 male with a juvenile black male, it probably sent up red 19 flags to certain people. 20 Q. Okay. Had they both been the same race, do you 21 think it would have sent the same red flags? 22 MR. MAYE: Object to form. 23 THE WITNESS: Definitely not. 24 BY MR. McKAY: 25 Q. Okay. And as you observed Mr. DelVecchia on</p>	<p>52</p> <p>1 Q. Um-hum. 2 A. -- on flights. We've had calls where a person 3 was having a heart attack, doctors trying to give CPR, 4 and some guy decides that he has the right to YouTube it 5 from the middle of it. 6 So, you know, just if you can imagine it, it's 7 probably called on a plane. I was there for, like, 8 three years. Just a lot of different things. 9 Q. And when a -- a call is -- or a request is made 10 to the Metro Police to meet the aircraft for one of 11 these -- the, you know, potential inappropriate touching 12 or assaults, what does the response look like with 13 respect to your office? What do you do? 14 A. We basically get the arrival time of the 15 aircraft, the gate number so we know exactly where the 16 plane is going. We usually try to coordinate at 17 least -- if it rises to a certain level as far as, say, 18 a supervisor being on-site, supervisors don't always 19 have to go out, but it's recommended, you know, for most 20 cases. 21 Usually we try to have at least two to four 22 officers meet the plane just for, you know, separation, 23 crowd control, because that can be an issue due to the 24 fact of our call is coming in as a possible father-son, 25 we don't know the relationship, but we also don't know</p>
<p>51</p> <p>1 the night that the flight landed, did you see anything 2 about him that caused you to think that he looked like a 3 participant in human trafficking or a child molester? 4 MR. MAYE: Object to form. 5 THE WITNESS: Nothing at all. 6 MR. McKAY: All right. That's all I have, sir. 7 Thank you. Mr. Maye might have some questions. 8 EXAMINATION 9 BY MR. MAYE: 10 Q. Mr. Obasi, you've been dispatched many times to 11 meet a flight; correct? 12 A. Yes, sir. 13 Q. And what were some of the reasons for being 14 called to meet the flight? 15 A. You're talking about in general or -- 16 Q. Yes. Yes. From your experience, the different 17 times you were dispatched to a flight, what were the 18 various reasons why you were dispatched to the -- to the 19 flight? 20 A. I would say our number one reasoning -- and I 21 kind of have to go back prior to COVID, because with 22 COVID, it was always about the mask. Normally we have 23 disturbances from fights on planes, arguments. We've 24 had people touching flight attendants inappropriately. 25 Just a lot of alcohol-related calls --</p>	<p>53</p> <p>1 if there's, like, another group of family members with 2 them. So you have to, you know, just prepare for the -- 3 for the unexpected, basically. 4 But we just -- we just meet at the plane. Most 5 of the time it's actually to keep the peace kind of a 6 thing for us, and also, I should add, we usually try to 7 have a representative of that airline be present. 8 Q. When there's an allegation that a potential 9 crime was committed, do you and your officers conduct an 10 investigation when you get to the flight? 11 A. Very brief. It's just because there's very 12 few -- and the law has changed slightly, I believe, 13 right about when I was ready to retire as far as what we 14 can actually arrest for while in flight versus, you 15 know, over other air space. It's a whole mess of a law 16 that they've -- they're trying to streamline, but 17 normally -- normally these cases fall under the FBI 18 jurisdiction. So our job is really just to go out and 19 do a preliminary to see if we have enough to detain for 20 the FBI to come out. 21 Q. And part of your preliminary investigation, 22 what does that consist of, interviews of -- 23 A. Interviews of -- 24 Q. I'm sorry. Go ahead. 25 A. Yeah, I'm sorry.</p>

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<p>54</p> <p>1 So it's usually interviews of the, you might 2 say, accuser. So you're basically talking to the flight 3 attendants, in reality, because normally the pilot isn't 4 your best source of information because it's being 5 relayed to the pilot from the flight attendant. So we 6 usually try to talk to the flight attendants just to 7 see, okay, what occurred, get them writing a voluntary. 8 As far as the -- the accused person, there's 9 really not -- to be honest with you, there's not a lot 10 of talking to them unless it's something that we really 11 feel we can solve on the site, you know, where you kind 12 of let them have their say. Because -- and that's 13 usually your misunderstanding type ones or even like the 14 mask where it's, like, oh, hey, I'm sorry, blah, blah, 15 blah. So we kind of pull them aside, say, hey, you 16 know, what's going on? Usually with a case that we know 17 it's going to rise to an FBI investigation, we try not 18 to actually interview the -- the accused that much 19 on-site. 20 Q. And after you complete your interviews of 21 witnesses and sometimes the accused, you make a decision 22 whether or not to refer the case to the FBI? 23 A. Well, no. Well, yes. I guess you could say 24 yes. Because if it doesn't rise to the level of even 25 being a case, then, you know, there's no need to call</p>	<p>56</p> <p>1 decision that, hey, there's no need to investigate this 2 incident any further; correct? 3 A. Yes, sir. 4 Q. And in this case, you and your officers 5 interviewed the flight attendants and Mr. DelVecchia and 6 A.D.; correct? 7 A. No. No. No -- because we -- we're not allowed 8 to interview the minor without, like, an expert or 9 officer trained in that. And even the -- sorry -- even 10 the interviewer of the adult father, that's -- you know, 11 they're not really asking him, like, incriminating 12 questions. Like I said, we -- our part is just to 13 basically detain and wait. 14 Q. So in this case, you did not interview -- 15 interview A.D. about the allegations; is that fair? 16 A. Yes. Yes. 17 Q. And you interviewed flight attendants and the 18 pilots? 19 A. I believe my officers did briefly enough to, 20 you know, ascertain, you know, what was -- what they 21 perceived to be going on. 22 Q. And did you or your officers speak with 23 Mr. DelVecchia about the allegations? 24 A. I did not personally prior to the FBI coming. 25 I don't remember any of my officers doing it. I know</p>
<p>55</p> <p>1 them in. We usually just inform, you know, the airlines 2 that the -- usually the pilot is -- honestly, the pilot 3 disappears first. They're on some different schedule. 4 So normally we try to, you know, inform the 5 airlines, hey, this is not a criminal matter. I would 6 say 90 percent of them fell under the civil side of 7 things. So usually the airline will decide to trespass 8 or, you know, whatever they're going to do, which is now 9 out of our control. 10 So what we do is once we are done with our part 11 and we make the decision, no, this isn't a crime, then 12 we let the airline -- usually the airport manager will 13 make that decision that, hey, what -- what do you want 14 to do with this person? 15 Q. So after -- after you conduct your 16 investigation, then you can make the decision that, hey, 17 this person can go on their way; we don't believe a 18 crime was committed. 19 A. Yes, sir. 20 Q. Okay. 21 A. Sorry. My camera's falling down. 22 Q. And the -- the airline doesn't make the 23 decision to send the case to the FBI; correct? 24 A. No, they do not. No. 25 Q. And the officers on the scene can make the</p>	<p>57</p> <p>1 Mr. DelVecchio was actually talking because I could kind 2 of hear down the hallway. I think he was just kind of 3 expressing himself. I wouldn't call it an interview per 4 se. 5 Q. Talking about what? 6 A. Talking about what occurred on the plane and 7 his frustration with it. 8 Q. So you interviewed the various crew members, 9 and you had discussions with Mr. DelVecchia or someone 10 that was under your supervision, and a decision was made 11 to refer the case to the FBI; correct? 12 MR. McKAY: Objection to the form. 13 THE WITNESS: Yeah -- well, not so much -- yes, 14 you could say, yes, referred, because it's not in our 15 jurisdiction anyway. 16 BY MR. MAYE: 17 Q. What I'm saying is you decided that there was 18 sufficient information to warrant the FBI investigating; 19 correct? 20 MR. McKAY: Objection to the form. 21 THE WITNESS: Yes, sir. 22 BY MR. MAYE: 23 Q. Okay. Okay. And you could have after 24 interviewing everyone said, "You know what? This is all 25 a big misunderstanding. Mr. DelVecchia, you and your</p>

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<p>58</p> <p>1 son can keep on going. Go on your way. Have your --</p> <p>2 you know, continue with your trip."</p> <p>3 MR. McKAY: Objection to the form.</p> <p>4 THE WITNESS: Yes, I could, with a lot of</p> <p>5 backlash.</p> <p>6 BY MR. MAYE:</p> <p>7 Q. Okay. I'm going to show you what I guess is --</p> <p>8 is this Exhibit 4, I believe?</p> <p>9 MR. McKAY: Yeah, I have up to 3.</p> <p>10 THE WITNESS: Way too small for me to read, but</p> <p>11 it's fine.</p> <p>12 MR. MAYE: Okay. I'll blow it up.</p> <p>13 So I'm showing the witness -- I think it's</p> <p>14 Exhibit 4. I'm showing the witness what has been marked</p> <p>15 as Exhibit 4, which I represent is the Las Vegas Metro</p> <p>16 Police Department call log for what was then called</p> <p>17 McCarran Airport.</p> <p>18 THE WITNESS: Um-hum.</p> <p>19 (Exhibit 4 was identified for the</p> <p>20 record.)</p> <p>21 MR. McKAY: Objection. Brian, this has not</p> <p>22 been produced in discovery.</p> <p>23 MR. MAYE: Yes, it has.</p> <p>24 MR. McKAY: I have not seen this.</p> <p>25 MR. MAYE: It's been produced.</p>	<p>60</p> <p>1 substation at McCarran?</p> <p>2 A. Yes, sir. Well, it would be a call log for all</p> <p>3 the officers that had been assigned to the call.</p> <p>4 Q. Okay. Right here where I've highlighted, it</p> <p>5 says "NINT [sic] 21:13:55."</p> <p>6 What does that indicate?</p> <p>7 A. I have no clue. Is it N-I- -- is it, like,</p> <p>8 initiate? Initiated maybe?</p> <p>9 Q. Please don't speculate.</p> <p>10 A. Yeah, I don't -- I don't -- just so you know,</p> <p>11 sir, these are dispatch center terms from McCarran</p> <p>12 dispatch.</p> <p>13 Q. Okay.</p> <p>14 A. So these aren't -- these aren't abbreviations</p> <p>15 that we would use in the field.</p> <p>16 Q. Okay. Let me show you this.</p> <p>17 I'm highlighting -- well, do you see where I'm</p> <p>18 highlighted? It says "21:13:55 DPTCH," and then the</p> <p>19 next column, "LV/3Q70 Bravo," and then parentheses,</p> <p>20 "(Officers: LV/Tripp Blane)."</p> <p>21 MR. McKAY: And I still have an objection based</p> <p>22 on lack of foundation based on not produced in</p> <p>23 discovery, based on improper questioning of this</p> <p>24 document, and I move to strike.</p> <p>25 MR. MAYE: Okay. Okay. Can you and I have</p>
<p>59</p> <p>1 MR. McKAY: Well, I object to its use in this</p> <p>2 deposition because I have not seen it. And if it was</p> <p>3 produced, it would have come to me.</p> <p>4 MR. MAYE: Okay.</p> <p>5 BY MR. MAYE:</p> <p>6 Q. This is the call log for the Las Vegas Metro</p> <p>7 Police Department at McCarran for March 28, 2019.</p> <p>8 MR. McKAY: Objection. No foundation.</p> <p>9 Objection. Motion to strike.</p> <p>10 MR. MAYE: Okay.</p> <p>11 BY MR. MAYE:</p> <p>12 Q. Mr. Obasi, does this document look familiar to</p> <p>13 you?</p> <p>14 A. It looks like one of our printed call logs from</p> <p>15 dispatch or from our CAD system, I should say.</p> <p>16 Q. Okay. And there's this "LOC McCarran Airport."</p> <p>17 What is that?</p> <p>18 A. I'm sorry?</p> <p>19 Q. What does this -- it says "LOC McCarran</p> <p>20 Airport."</p> <p>21 What does that indicate?</p> <p>22 A. Oh, "LOC" would just be location.</p> <p>23 Q. And McCarran Airport is?</p> <p>24 A. Where we were operating.</p> <p>25 Q. Okay. And this -- this is a call log for your</p>	<p>61</p> <p>1 this --</p> <p>2 MR. McKAY: Can I have a continuing objection</p> <p>3 on that by agreement, Mr. Maye?</p> <p>4 MR. MAYE: Yes, please. Thank you.</p> <p>5 MR. McKAY: Thank you.</p> <p>6 BY MR. MAYE:</p> <p>7 Q. Mr. Obasi, this 21:13:55, do you know what that</p> <p>8 indicates?</p> <p>9 A. I believe that's a time. Usually that's a</p> <p>10 time, but --</p> <p>11 Q. So would there be -- would that be 9:13 p.m.</p> <p>12 and 55 seconds?</p> <p>13 A. Yes. Yes, in civilian time, yes.</p> <p>14 Q. Okay. And it says, "Dispatch" -- I'm sorry.</p> <p>15 It says, "DPTCH."</p> <p>16 Do you know what that means?</p> <p>17 A. That's dispatch.</p> <p>18 Q. Okay. And then what does that mean, dispatch</p> <p>19 of who, of what? What does that mean?</p> <p>20 A. It means dispatch of whatever unit is on the</p> <p>21 end of that line. It means that the -- now, there is a</p> <p>22 time -- there would be a slight time delay here because</p> <p>23 our -- because we're being dispatched by airport control</p> <p>24 who then calls it into Metro control. Yeah, it's kind</p> <p>25 of a -- yeah. But -- yeah -- but the -- whoever --</p>



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<p>62</p> <p>1 whoever was being dispatched on this line, their call 2 sign would be at the end, and we're all -- they're all 3 queen units or Q. 4 Q. Right. So you're referring to the LV-3Q70B? 5 A. Yes. 6 Q. And does that name, Blane Tripp, sound familiar 7 to you? 8 A. Yes, it does. 9 Q. And who is Officer Blane Tripp? 10 A. One of the officers assigned to my squad. 11 Q. And did Officer Tripp -- was he one of the 12 officers that was present at the gate when the flight 13 arrived? 14 A. Yes, sir. 15 Q. And how long have you worked with Officer 16 Tripp? 17 A. Well, I was his supervisor for about three 18 years at the airport, but I've actually known -- we've 19 worked together before I promoted. I would say in total 20 about 18 years. 21 Q. And is Officer Tripp a good officer? 22 A. Yes, he is. Excellent officer. 23 Q. And according to this record, were there other 24 officers dispatched to the flight? 25 A. I actually --</p>	<p>64</p> <p>1 dispatched at 2114? 2 A. Yes. 3 Q. And when it indicates they were dispatched, 4 does that mean that they were requested to go somewhere? 5 A. It just means that they're requested to aid 6 with the call. As far as where -- where they go, that's 7 something that we coordinate as far as, like, do I need 8 you at the plane, do I need you to bring a car onto the 9 tarmac to help us transport, you know, or do I need you 10 to be at the station when we arrive? It's kind of a 11 coordinated effort. 12 Q. Okay. And do you recall if Officer Tripp made 13 it to the gate? 14 A. Yes, I believe Officer Tripp and Officer White 15 were actually with me. 16 Q. Okay. And down farther below, it says -- 17 A. So I'm squinting trying to read it. 18 Q. Can you see that where I've highlighted it in 19 blue, "23:14 Dispatch," and then "Officer Bradley" -- 20 A. Berghuis. 21 Q. -- "Berghuis." 22 A. Yeah. 23 Q. Do you see that? 24 A. Yes. 25 Q. Do you recall if Officer Berghuis was at the</p>
<p>63</p> <p>1 MR. McKAY: Objection. Form. 2 THE WITNESS: I actually cannot read this. 3 It's actually very small on my screen. 4 BY MR. MAYE: 5 Q. Oh, sorry. 6 A. If there's other -- if there's other units 7 assigned -- I can see, yeah, there's 3 Queen 91 -- looks 8 like a few people were out there. 79, 91, 55, yeah. So 9 anyone -- anything that says -- anything in that bracket 10 means that they were assigned. 11 Q. So Officer Martin Wright was dispatched to the 12 flight? 13 A. Yes. I'm not sure if Officer Wright made it to 14 the plane, because I did have some extra officers kind 15 of come to the station, you know, because, we thought 16 we'd be there a while. So some -- not everyone that's 17 assigned to the -- to this call made it to the plane. 18 Q. Do you recall if Officer Anthony White made it 19 to the plane? 20 A. Yes, Officer White did. He's actually now 21 retired, but -- 22 Q. And how about Officer Greg Leavitt? 23 A. I honestly do not recall if Officer Leavitt, 24 who is also retired, made it out to the flight. 25 Q. And does it show that these officers were all</p>	<p>65</p> <p>1 gate? 2 A. He may have been. I don't recall because 3 some -- well, some of the -- like, Officer Berghuis is 4 actually a Terminal 1 officer. So some of them may have 5 met us out there and then kind of, you know, departed 6 because it's not going back to Terminal 1. 7 And, also, I believe he's -- because I believe 8 the call went into when our -- because we were what we 9 call swing shift. So the call kind of went into when 10 our graveyard units came on. So some of the people 11 you're seeing assigned are actually graveyard units and 12 would not have been there initially. 13 Q. Was Officer Berghuis a graveyard -- 14 A. Yes -- 15 Q. -- unit? 16 A. -- if I remember correctly -- and I think he's 17 retired as well. Sorry. But the airport is kind of a 18 retirement gig. But I believe Officer Berghuis was a 19 graveyard officer. 20 Q. Were you also a graveyard officer? 21 A. No, sir. I was the swing shift supervisor. 22 Q. Why does Officer Berghuis, who was a graveyard 23 officer -- why was he dispatched at 11:14 and you were 24 also dispatched at 11:14? 25 Do you see that?</p>



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<p>66</p> <p>1 A. I think that's just the way that -- I'm not 2 sure what -- why -- why that would happen. And 3 sometimes, like I said, this is just them clicking a 4 button. I can't tell you what they are doing because I 5 believe I was already on the call, you know. So I don't 6 know why that would -- I don't -- I have no clue. 7 Q. Are you certain that you were at the gate? 8 A. What? 9 Q. Are you certain that you were at the gate -- 10 A. Yes, sir. 11 Q. -- with the other officers? 12 A. Yes, sir. 13 Q. Okay. And who -- who inputs the information 14 about the timing of the dispatch to the various officers 15 or various personnel? 16 A. Okay. So like I was trying to explain earlier, 17 airport control center is not a police dispatch center 18 per se; so they don't have the same technology. So what 19 happens is they will actually tell us about the call, 20 and then they call our regular police dispatch to 21 retrieve an event number. So if they don't tell Metro 22 dispatch that we are on the call, Metro dispatch doesn't 23 know. 24 It's probably as clear as mud at this point. 25 So what happens is sometimes we can actually have an</p>	<p>68</p> <p>1 Q. And you said the pilot never gave you any 2 details about what was alleged to have happened; right? 3 A. Not -- not in depth. He just said that his -- 4 he may have went over it briefly, but he was -- he was 5 definitely trying to -- or he made it clear to me that 6 the reason why he called is because his crew alerted 7 him. 8 Q. About something. 9 A. Yes, about the -- yeah. About something -- 10 about something that was enough for him to make that 11 call, you might say. 12 Q. But he didn't explain what that was to you. 13 A. No, he -- no, he didn't, no. 14 Q. And did Officer Tripp interview any of the -- 15 any of the flight attendants or passengers? 16 A. I -- I believe Officer Tripp spoke with the 17 attendants. Like I say, I can't honestly at this point 18 tell you exactly what Officer Tripp did or any of the 19 other officers, like, who they exactly spoke with. 20 Q. Okay. So -- so you don't know whether or not 21 Officer Tripp interviewed any of the flight attendants. 22 A. I do not. That would be an assumption on my 23 part. 24 Q. And you don't know whether or not Officer White 25 interviewed any of the flight attendants?</p>
<p>67</p> <p>1 officer be on a call and was dispatched by airport 2 control but Metro dispatch doesn't know; so it won't 3 show up in the log properly. 4 Does that make sense? 5 Q. Okay. So you said that from your recollection 6 it was you, Officer Tripp, and Officer White who met the 7 aircraft. 8 A. Yeah. Yes, sir. Yes, sir. 9 Q. Okay. And who conducted the -- withdrawn. 10 Did you, Officer Tripp, or -- and/or Officer 11 White interview anyone at the gate? 12 A. I remember -- you mean as far as the -- the 13 workers of Frontier? 14 Q. Yeah, anyone. Any wit- -- passengers, any crew 15 members. 16 A. Honestly, I remember the officers speaking with 17 crew members, and I remember the -- because while I was 18 speaking with the pilot is when the attendants were kind 19 of also talking and getting into the conversation, but 20 it wasn't -- I would not call that an interview. It was 21 more of a, like, what's going on, you might say, with 22 the pilot. 23 Q. And you said that you were speaking to the 24 pilot about what was going on. 25 A. Yes, sir.</p>	<p>69</p> <p>1 A. No, I -- I cannot, like I said, give a definite 2 yes on that. 3 Q. And you do not know whether any of the officers 4 interviewed any of the passengers. 5 A. I don't believe we had any passenger witnesses 6 that stuck around. 7 MR. McKAY: Mr. Maye, do we need this document 8 displayed? 9 MR. MAYE: No. 10 THE WITNESS: You make him squint. I'm sorry. 11 MR. MAYE: Yeah, let me -- 12 MR. McKAY: I'd just like to see the witness. 13 MR. MAYE: That's fine. 14 MR. McKAY: Thank you. 15 MR. MAYE: Sure. 16 BY MR. MAYE: 17 Q. You never interviewed any of the flight 18 attendants; correct? 19 A. Not a formal interview. 20 Q. Did you interview or speak with Mr. DelVecchia 21 or A.D. about what had occurred? 22 A. You're talking about at the flight? 23 Q. Yes. At the gate. 24 A. No, I did not. 25 Q. Did you -- okay. At any point, did you have a</p>

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<p style="text-align: right;">70</p> <p>1 conversation with Mr. DelVecchia or A.D. about what had 2 transpired on the aircraft? 3 A. Yes, sir. 4 Q. And what did Mr. DelVecchia tell you? 5 A. Mr. DelVecchio basically stated that his son -- 6 but he said he was having a headache, was uncomfortable, 7 and that he was comforting him. And I think he 8 mentioned something about a -- like, a blanket, maybe 9 putting a blanket down first, something like that, and 10 that suddenly he was -- he felt he was struck, he was 11 told to go to -- to the back, and he was sitting with a 12 stranger for the remainder of the flight while someone 13 else sat with his son. 14 Q. So he told you that he was rubbing his son's 15 head -- 16 A. Yes. 17 Q. -- and that at that point -- that at that point 18 someone hit him in the head? 19 A. Yeah. Well, he -- I remember him saying he was 20 confronted by somebody. Like I said, that part of it I 21 can't remember, but he said, yes, his son had put his 22 head into his lap where, like, the -- like, blanket was 23 and that he was, like, rubbing his face, like, 24 comforting him, you know, for basically having a 25 headache, being uncomfortable with the flight, and</p>	<p style="text-align: right;">72</p> <p>1 A. No, he did not, actually. I don't remember 2 ever getting a description of -- I'm not sure he knew 3 who did it, to be honest with you. 4 Q. And if you had learned information about a 5 passenger being battered in the head, is that something 6 that you would investigate? 7 A. Yes, but we did not -- but this is information 8 that I actually found out after the FBI, you know, had 9 done their thing. It was not brought up to us -- like, 10 we didn't know about it initially. Actually, the -- no 11 one -- I kind of assumed after everything came out that 12 maybe they were air marshals onboard by the action, but 13 we weren't told about the presence of any law 14 enforcement on the flight. 15 Q. Is it possible that -- withdrawn. 16 It was unclear to me when Mr. DelVecchia told 17 you about the slap or punch. Was it the day of that 18 flight or when it -- he returned for his return flight? 19 A. That's -- to be honest with you, sir, that's 20 the part -- so the day when he left -- when he left 21 after the FBI had released him -- well, we released him 22 because he was in our station, I remember having a brief 23 conversation, and I'm -- I'm honestly trying to recall 24 if he -- he explained it to me that day or the day when 25 he came back. I'm -- and honestly I can't -- I'm</p>
<p style="text-align: right;">71</p> <p>1 that's when everything started. 2 Q. Okay. And then at that point he said that 3 someone hit him? 4 A. Yes, he said -- he said somebody hit him and -- 5 and told him to go to the back. 6 Q. Told Mr. DelVecchia to go to the back? 7 A. Yes, sir. 8 Q. And where did -- and where in back did he go? 9 A. He didn't give me a specific seat number. He 10 just said that -- that he was guided towards the back, 11 and he sat next to a male stranger who he kind of 12 inferred he thought was somebody official. 13 Q. And -- okay. And how long did he tell you he 14 sat in that seat in the back of the airplane, if you 15 know? 16 A. From the time it happened till basically the 17 time the aircraft landed. 18 Q. And where was A.D. at this time? 19 A. A.D. was still in his -- or -- well, original 20 seat or area. He didn't move the -- the -- A.D. 21 Q. And did he tell you anything else about what 22 happened on the plane? 23 A. No, just the fact he -- it was embarrassing. I 24 remember him saying it was embarrassing. 25 Q. Did he tell you who hit him?</p>	<p style="text-align: right;">73</p> <p>1 trying -- having a hard time differentiating that -- 2 that bit of information. 3 Q. Okay. And do you recall if he said that he was 4 slapped or punched? 5 A. I remember him saying punched. 6 Q. You testified earlier that -- that -- slap or 7 punch. 8 A. Yeah, and that's -- that's probably just me 9 talking. But in kind of replaying what he was saying, 10 he felt like it was a punch. Like, me, I got super 11 large hands. So, you know, it could have been either 12 one. But he felt basically he was hit in the back of 13 the head. 14 Q. When you were on the scene -- you and Officer 15 Tripp and Officer White on the scene at the gate, were 16 you made aware that Mr. DelVecchia and A.D. were father 17 and son? 18 A. No. Actually -- actually, the attendant made a 19 statement that said, "I'm not sure they're related." I 20 remember that statement and I -- 21 Q. Did you -- 22 A. I'm sorry. Go ahead. 23 Q. Did you ever ask Mr. DelVecchia if they were 24 related? 25 A. Yes.</p>

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<p style="text-align: right;">74</p> <p>1 Q. And when did you ask him that?</p> <p>2 A. I remember when we got back to the station, I</p> <p>3 remember asking, you know, just that simple question</p> <p>4 because I didn't feel that was any -- in any form</p> <p>5 incriminating, you might say, as far as their</p> <p>6 relationship. And I remember he said, and it was</p> <p>7 corroborated by his son, that it was an adoptive</p> <p>8 situation.</p> <p>9 Q. In terms of their relationship, father and son,</p> <p>10 does that have any bearing on whether an allegation of</p> <p>11 misconduct is credible or not?</p> <p>12 A. I would say yes, sir. Yes.</p> <p>13 Q. And how -- what is the significance to you in</p> <p>14 terms of whether or not an allegation is credible?</p> <p>15 A. Well, for me personally, if a complete stranger</p> <p>16 is caressing the face of an 11-, 12-year-old boy, not</p> <p>17 even on an aircraft, anywhere, regardless of, you know,</p> <p>18 race, whatever, that's -- that's not normal. Being a</p> <p>19 father of two, if I'm caressing my daughter's face</p> <p>20 because she's uncomfortable, then that's, you know,</p> <p>21 absolutely normal. That's not outside of the norm. But</p> <p>22 I could see if it was a complete stranger where that</p> <p>23 would set off red flags. That's what I'll say about the</p> <p>24 relationship.</p> <p>25 Q. In your long experience in law enforcement,</p>	<p style="text-align: right;">76</p> <p>1 turn the case over to the FBI for further investigation.</p> <p>2 Do you believe that was the prop- --</p> <p>3 MR. McKAY: Objection to form.</p> <p>4 BY MR. MAYE:</p> <p>5 Q. Do you believe that was the right decision?</p> <p>6 A. Yes, sir. Actually, it was the only decision.</p> <p>7 Q. It was the only decision based on what you knew</p> <p>8 about the allegations; correct?</p> <p>9 MR. McKAY: Objection to the form.</p> <p>10 THE WITNESS: Well, the fact that the</p> <p>11 allegation was made and I was not present during the</p> <p>12 action. So the allegation was made. The only option I</p> <p>13 have, because it's not my jurisdiction, is to not be</p> <p>14 negligent and turn this case over to the FBI.</p> <p>15 BY MR. MAYE:</p> <p>16 Q. Well, you earlier said that there are times</p> <p>17 when allegations are made, you conduct a preliminary</p> <p>18 investigation, and you determine, hey, there's no basis</p> <p>19 for this, we can let them go; correct?</p> <p>20 A. Yes, sir, but that's usually not a crime that</p> <p>21 falls -- we're talking, like, maybe, like, face masks or</p> <p>22 like a he-said/she-said shoving match where both parties</p> <p>23 do not want to proceed type. You know, something</p> <p>24 that's -- that's usually a misdemeanor not occurring in</p> <p>25 our presence type thing. Nothing -- nothing felonious,</p>
<p style="text-align: right;">75</p> <p>1 have you seen cases in which crimes were committed by a</p> <p>2 family member against another familiar member?</p> <p>3 A. Oh, yeah, well, actually --</p> <p>4 MR. McKAY: Objection to the form.</p> <p>5 THE WITNESS: Yeah. Yeah, that's --</p> <p>6 BY MR. MAYE:</p> <p>7 Q. Okay.</p> <p>8 A. Yeah.</p> <p>9 Q. Okay. And the fact that they were father and</p> <p>10 son, is that information that would make an</p> <p>11 investigation unnecessary?</p> <p>12 A. No. No. But depends on the action. If, you</p> <p>13 know --</p> <p>14 Q. Yes. So if an allegation was made that a</p> <p>15 father had inappropriately touched his child, if you</p> <p>16 learned they were father and son, would you then not</p> <p>17 investigate?</p> <p>18 A. Oh, no, that would be an inves- -- definitely</p> <p>19 an investigation for inappropriate touching.</p> <p>20 Q. Okay.</p> <p>21 A. Yes.</p> <p>22 Q. So merely learning that they were father and</p> <p>23 son didn't warrant your letting them go.</p> <p>24 A. No. No, sir. No.</p> <p>25 Q. Okay. So ultimately you made the decision to</p>	<p style="text-align: right;">77</p> <p>1 nothing that could rise to that level.</p> <p>2 Q. So the fact that this was father and son, that</p> <p>3 didn't warrant your not giving the case to the FBI;</p> <p>4 correct?</p> <p>5 MR. McKAY: Objection to the form.</p> <p>6 THE WITNESS: No, sir.</p> <p>7 BY MR. MAYE:</p> <p>8 Q. Okay. And you mentioned earlier that</p> <p>9 Mr. DelVecchia told you that A.D.'s head was on his lap</p> <p>10 and he was rubbing his head, and then he was -- he was</p> <p>11 struck.</p> <p>12 Did they -- did Mr. DelVecchia tell you</p> <p>13 anything else about what happened on the aircraft?</p> <p>14 MR. McKAY: Objection to the form.</p> <p>15 THE WITNESS: That was it, pretty much, that he</p> <p>16 was just separated from his son for the rest of the</p> <p>17 flight.</p> <p>18 BY MR. MAYE:</p> <p>19 Q. You said that you learned from A.D. that this</p> <p>20 had happened before.</p> <p>21 A. Yes, sir.</p> <p>22 Q. Did A.D. go into detail about what had happened</p> <p>23 before?</p> <p>24 A. No, he did not. No, he did not. Actually, I</p> <p>25 believe I kind of -- kind of steered him away from --</p>

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<p>78</p> <p>1 from that, from that part of the conversation not 2 wanting to, you know, interfere with the FBI's interview 3 when they got there. 4 Q. Did he mention that it was suspected that there 5 was inappropriate touching on the flight? 6 A. That kind of rings a bell that he said -- he 7 said -- I know he said it happened before on a flight. 8 Not so much about touching. He didn't go into why. 9 Q. If a child passenger revealed to you that his 10 father had been suspected of inappropriately touching 11 him on a previous occasion and on the current occasion 12 it was the same situation, would -- would that raise 13 concern in your mind that the current allegation is 14 something that should be investigated? 15 MR. McKAY: Objection to the form and 16 argumentative. 17 THE WITNESS: I think that -- I think that 18 leaves a lot to be -- you know, I mean -- because I 19 would have to know the true circumstances of the first 20 allegation. 21 BY MR. MAYE: 22 Q. Um-hum. 23 A. Not just -- not just a broad allegation. But 24 definitely, you know, those are red flags. 25 Q. When you worked for the Las Vegas Metro Police</p>	<p>80</p> <p>1 BY MR. MAYE: 2 Q. Do you agree that it's better to be wrong and 3 inconvenience someone than to potentially turn a blind 4 eye toward something that could be bad? 5 MR. McKAY: Objection. Argumentative. 6 Objection to the form. 7 THE WITNESS: Yes, sir. 8 BY MR. MAYE: 9 Q. Two flight attendants testified that they 10 observed Mr. DelVecchia inappropriately touching A.D. 11 and they notified the captain? 12 MR. McKAY: Objection. 13 BY MR. MAYE: 14 Q. Based on your professional experience, do you 15 believe it was appropriate for the captain to contact 16 law enforcement? 17 MR. McKAY: Improper question. Objection to 18 the form. Argumentative. 19 THE WITNESS: I would say based on -- on what 20 was told to the captain, it was proper for him to inform 21 us. 22 BY MR. MAYE: 23 Q. Okay. You testified that you conducted an 24 Internet search of A.D. When did you do that? 25 A. Probably about five minutes to ten minutes</p>
<p>79</p> <p>1 Department, did they have a policy of if you see 2 something, say something? 3 A. Yes, sir. Mostly that's geared towards 4 terrorism, but recently it's kind of been broadened. 5 Q. And what does that mean to you? 6 A. "See Something, Say Something" basically means 7 that when you see something suspicious, you should speak 8 up and alert someone. 9 Q. Alert law enforcement? 10 A. Yes, alert law enforcement, or if they're, you 11 know, in a hospital, alert, you know, health care, 12 somebody in authority that can, you know, get some kind 13 of help. 14 Q. And you believe that if an adult sees another 15 adult inappropriately touching a child, do you believe 16 that that adult should notify law enforcement? 17 THE WITNESS: Yes -- 18 MR. McKAY: Objection. Argumentative. Calls 19 for speculation. Objection to the form of the question. 20 THE WITNESS: Yes, sir. 21 BY MR. MAYE: 22 Q. Okay. Essentially, you know, it's better to be 23 safe than sorry; right? 24 MR. McKAY: Objection. Argumentative. 25 THE WITNESS: Yes, sir.</p>	<p>81</p> <p>1 after I received the dispatch. And I called -- I 2 believe I called the airport control center and -- 3 because I was, like, well, what are their names? And -- 4 because the dispatcher had -- had actually said -- I 5 remember now -- said something about -- because I asked 6 her what's the relation? And she says, "Well, I think 7 it's father and son," and she gave me the names. But 8 the combination of the minor's first name with the last 9 name, I immediately said, oh, this is -- it's an African 10 first name. So that's why it kind of -- it kind of set 11 off that investigative bell in my head. 12 Q. You testified earlier that when you came to the 13 gate, you heard some people mumbling about what had 14 happened. 15 A. Yeah, it was just passengers. We get that a 16 lot. People walking by and leaving will, you know -- 17 they -- everybody has, you know, like, oh, that was 18 wrong. Oh, my god, this just happened, you know, blah, 19 blah, blah. So we kind of heard, like -- like, 20 grumbings because you have, you know, a plane of a 21 hundred-and-something people basically disembarking, and 22 everybody's kind of glad it's not them that we're 23 waiting for. 24 So I remember one lady -- and I can't really 25 describe her that well -- saying, "Oh, that was wrong,"</p>



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<p style="text-align: right;">82</p> <p>1 you know, kind of stuff like that. Other people, like,  2 "Man, you know, what's going on?" Some people seemed a  3 little confused.  4 Q. Right. I was going to ask you about that. You  5 said that some woman said, "That was wrong."  6 Do you know what she was referring to?  7 A. Well, I assume she was referring to the father  8 and son situation or the, you know, the accused  9 situation.  10 Q. Meaning what he did was wrong?  11 A. No, I -- no, she -- she pointed -- she kind of  12 referenced towards the crew. So I took that to mean she  13 felt like what the airlines had done was wrong.  14 Q. What did -- what did this woman look like?  15 A. She -- I remember her being, like, a white,  16 kind of middle-aged female kind of -- I remember dark  17 brown hair. Don't ask me to describe her face outside  18 of that. I wasn't -- like I said, she was, you know,  19 somewhat nondescript, and we were kind of concentrating  20 on, you know, disembarking these folks and -- again,  21 because it -- it wasn't like a -- in some cases we kind  22 of have to hold everybody on the flight, but in a case  23 like this where it's just, like, the -- you know,  24 airline stewardesses, father and son or adult/minor, we  25 don't really need -- you know, there was no actual</p>	<p style="text-align: right;">84</p> <p>1 Q. And she wasn't looking back at all?  2 A. As far as -- what do you mean when you say  3 "looking back"?  4 Q. Well, where --  5 A. You mean at someone else?  6 Q. Where -- where was she facing? Where was she  7 facing?  8 A. Initially, when she came off the -- the -- that  9 gap between the door and the jetway --  10 Q. Uh-huh.  11 A. -- she was kind of, like, you know, saying what  12 she was saying, and she kind of glanced over at the --  13 because they were -- the flight attendants were  14 standing, you know, where they stand kind of in the  15 doorway as people are leaving, and she looked at them  16 when she made the statement, which is why, you know,  17 like, an inference like, you know, you did wrong kind of  18 a thing.  19 Q. So she was on the aircraft when she made the  20 statement?  21 A. I would say leaving. It's that gap, you know,  22 the --  23 Q. So --  24 A. -- like about to step off the aircraft onto the  25 jetway, that kind of uncomfortable first step.</p>
<p style="text-align: right;">83</p> <p>1 civilian witness to it, if you know what I'm saying.  2 Q. Right.  3 A. So we didn't need to hold anybody else.  4 Q. Where were you standing when you heard her say  5 this?  6 A. I was standing actually in the -- kind of like  7 the -- the jetway has, like, a little push-out part  8 that's for if you want to go down the staircase. So we  9 kind of stand -- I was standing in that part so people  10 could still disembark without obstruction.  11 Q. And was she walking with anyone?  12 A. I can't -- I honestly couldn't tell you if  13 anybody around her was connected to her, sir.  14 Q. Was she walking from the aircraft to the  15 terminal?  16 A. Well, she was -- she was leaving the aircraft  17 into the jetway.  18 Q. Okay. So she was -- she was -- but she was --  19 she was exiting the aircraft and walking up towards --  20 A. Yeah, it's --  21 Q. -- the terminal?  22 A. It's a one-way trip, yeah. She --  23 Q. Right.  24 A. You have to basically get off the plane, get  25 through the jetway into the terminal.</p>	<p style="text-align: right;">85</p> <p>1 Q. Okay. So she was -- she was stepping off the  2 aircraft.  3 A. Right. Right. Right.  4 Q. Okay. And she was facing you?  5 A. I want to say -- well, I guess you could say  6 facing because I'm looking into the aircraft.  7 Q. Right, and she's stepping off the aircraft.  8 A. She's stepping off the aircraft, she kind of  9 glances over, and then she just keeps walking. But it  10 was, like -- like a row of -- you know, people were just  11 floating off the aircraft. Just ready, you know how it  12 is. When the plane lands, everybody's up; everybody  13 wants to go.  14 Q. So were there people in front of her when she  15 stepped off the aircraft?  16 A. Yes. There were people in front of her, people  17 behind her, yes.  18 Q. And when she was stepping off the aircraft,  19 this is when she made this comment, "That was wrong"?  20 A. Yes, sir.  21 Q. And how do you know what she was talking about?  22 A. Well, being that this was the only thing  23 happening on that aircraft, that was the inference, in  24 honesty.  25 Q. So your reason --</p>



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<p>86</p> <p>1 A. Yeah.</p> <p>2 Q. So you're spec- -- you're speculating what she</p> <p>3 was referring to.</p> <p>4 MR. McKAY: Objection to the form.</p> <p>5 THE WITNESS: You can -- yes, that's -- yeah.</p> <p>6 BY MR. MAYE:</p> <p>7 Q. Okay.</p> <p>8 You earlier testified that you saw a flight</p> <p>9 attendant standing with a male flight attendant, a</p> <p>10 female flight attendant standing with a male flight</p> <p>11 attendant.</p> <p>12 When was that?</p> <p>13 A. Well, that was when they opened -- when they</p> <p>14 opened the door. And it's quite normal. They'll</p> <p>15 usually -- you know, you'll kind of have, like -- like,</p> <p>16 flight attendants standing together kind of telling</p> <p>17 people good-bye or, you know, have a safe continuing</p> <p>18 trip, whatever. So just -- I remember there was a -- a</p> <p>19 male and a female and then another female. If I'm</p> <p>20 looking at the flight, it's, like, male, female, then</p> <p>21 another female. I could see three attendants.</p> <p>22 Q. And they were on the aircraft.</p> <p>23 A. Yeah, they were still on the aircraft.</p> <p>24 Q. And you were on the jet bridge.</p> <p>25 A. And I'm on the -- yeah, on the jet bridge right</p>	<p>88</p> <p>1 custody of the adult, Mr. DelVecchio, and he was then</p> <p>2 transferred to an awaiting transport car which was on</p> <p>3 the tarmac, if I remember correctly.</p> <p>4 Q. When did Mr. DelVecchia exit the aircraft</p> <p>5 relative to the other passengers? Did he --</p> <p>6 A. After.</p> <p>7 Q. Did he --</p> <p>8 A. After.</p> <p>9 Q. Go ahead.</p> <p>10 A. After. After they disembarked.</p> <p>11 Q. So all the -- all the passengers exited the</p> <p>12 aircraft, and then Mr. DelVecchia exited, and then</p> <p>13 Mr. -- Officer White and Tripp took him into custody?</p> <p>14 A. Yes, sir.</p> <p>15 Q. And where was A.D. at the time Mr. DelVecchia</p> <p>16 was taken into custody?</p> <p>17 A. I believe he -- they had him maybe, like, a</p> <p>18 couple of seconds behind that, they brought him up.</p> <p>19 Q. And who brought him up?</p> <p>20 A. A flight -- I'm assuming a flight attendant,</p> <p>21 because I couldn't see inside of the craft. So by the</p> <p>22 time he came up, you know, there were multiple people</p> <p>23 standing from -- from here in the aircraft. So I</p> <p>24 couldn't tell you which one in specific brought him up</p> <p>25 to that area.</p>
<p>87</p> <p>1 in the mouth of the airplane.</p> <p>2 Q. And there were passengers walking past them and</p> <p>3 then exiting the aircraft?</p> <p>4 A. Well, we kind of -- well, both. So initially</p> <p>5 we let people, you know, kind of exit, exit, exit. And</p> <p>6 then once that's kind of finished, then we kind of move</p> <p>7 in a little bit closer to have -- because you -- you</p> <p>8 really can't start that conversation. Unless -- unless</p> <p>9 there's something physical going on like a fight where</p> <p>10 we have to actually get --</p> <p>11 Q. Um-hum.</p> <p>12 A. -- on the plane, we kind of wait for the</p> <p>13 disembarkment, you know. And -- and let's say the --</p> <p>14 the accused party isn't -- you know, is coming off among</p> <p>15 that crew, we usually will ask the flight attendant to</p> <p>16 say, "Hey, can you point out, you know, who we're here</p> <p>17 for?" you know, kind of a thing, if that makes sense.</p> <p>18 Q. Were Officers Tripp and White standing with you</p> <p>19 on the jet bridge while the passengers were deplaning?</p> <p>20 A. Yes, sir.</p> <p>21 Q. And after the passengers deplaned, did -- where</p> <p>22 did you, Officer White, and Officer Tripp go?</p> <p>23 A. I -- I stayed pretty much on the jet bridge. I</p> <p>24 don't ever remember going onto the aircraft. I believe</p> <p>25 Officer Tripp -- it's been a while -- and White took</p>	<p>89</p> <p>1 Q. So when A.D. was toward the front of the</p> <p>2 aircraft, you were still on the jet bridge; right?</p> <p>3 A. Yes. Yes. I never actually entered the</p> <p>4 aircraft.</p> <p>5 Q. Okay. And Officer White and Officer Tripp had</p> <p>6 taken Mr. DelVecchia into custody?</p> <p>7 A. Yes, sir.</p> <p>8 Q. So they never had any contact with the flight</p> <p>9 attendants?</p> <p>10 A. I remember them speaking with the flight</p> <p>11 attendants and giving -- what do you call -- voluntary</p> <p>12 statements for them, but I -- I don't -- I don't believe</p> <p>13 I was there for that part of their interview.</p> <p>14 Q. Well, I thought you said that after the</p> <p>15 passengers deplaned, then Mr. DelVecchia deplaned and</p> <p>16 Officer White and Officer Tripp took Mr. DelVecchia into</p> <p>17 custody; right?</p> <p>18 A. Right. And took -- and took him to a transport</p> <p>19 car --</p> <p>20 Q. Okay.</p> <p>21 A. -- which is waiting right down. So once he's</p> <p>22 given -- which would have been probably Officer White,</p> <p>23 because he was our driver. So once he's detained in</p> <p>24 that car, then they can come back, you know, and</p> <p>25 continue what they're doing.</p>

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<p>90</p> <p>1 Q. Did they come back?</p> <p>2 A. Well, yes, they would have had to, yes.</p> <p>3 Q. Well, but do you recall whether or not they</p> <p>4 came back?</p> <p>5 A. We got the voluntary statements. So I'm going</p> <p>6 to -- yeah, I would -- I would say yes.</p> <p>7 Q. Well, I'm asking if you recall if they came</p> <p>8 back, not -- not any assumptions. Do you recall either</p> <p>9 of them coming back?</p> <p>10 A. I can't specifically tell you their -- their</p> <p>11 motions that day.</p> <p>12 Q. Okay. And so -- and you don't recall who gave</p> <p>13 them the blank voluntary statement forms.</p> <p>14 MR. McKAY: Objection to the form. Asked and</p> <p>15 answered.</p> <p>16 BY MR. MAYE:</p> <p>17 Q. Who gave the flight attendants -- who gave the</p> <p>18 flight attendants the voluntary statement forms?</p> <p>19 A. No, I can't tell you which officer specifically</p> <p>20 gave them to them.</p> <p>21 Q. Is it possible you gave them the forms?</p> <p>22 A. I would -- I would say that's impossible.</p> <p>23 Q. That's impossible or possible?</p> <p>24 A. Impossible.</p> <p>25 Q. Impossible.</p>	<p>92</p> <p>1 Q. And when he asked them if they had time, where</p> <p>2 was the officer located?</p> <p>3 A. The officer would have been, like, in the --</p> <p>4 kind of, like, the end of the jetway, beginning of the</p> <p>5 aircraft.</p> <p>6 Q. And where the flight attendants?</p> <p>7 A. Still -- well, in the same general area. It's</p> <p>8 like a -- because that area is bigger than -- than, you</p> <p>9 know, being on the aircraft. So usually that's where we</p> <p>10 kind of congregate.</p> <p>11 Q. So was it on the aircraft or off the aircraft?</p> <p>12 A. In honesty, sir, I believe it's a combination</p> <p>13 because I remember the flight attendants standing in,</p> <p>14 like, the doorway and the officers standing on the</p> <p>15 jetway.</p> <p>16 Q. Were the pilots present?</p> <p>17 A. In the very beginning, I remember the one which</p> <p>18 I identified as a pilot was there, but I would say a few</p> <p>19 minutes later, I don't remember seeing them again.</p> <p>20 Q. And do you recall how many flight attendants</p> <p>21 were on the aircraft?</p> <p>22 A. I saw three, but I know there's normally four.</p> <p>23 Q. Do you recall how many pilots were on the</p> <p>24 aircraft?</p> <p>25 A. I saw two. Well, pilot and copilot. There was</p>
<p>91</p> <p>1 And why is that?</p> <p>2 A. Yeah, I don't -- as a supervisor, I don't carry</p> <p>3 forms.</p> <p>4 Q. Okay.</p> <p>5 A. Yeah, so it is impossible.</p> <p>6 Q. So it would have been either Officer White or</p> <p>7 Officer Tripp?</p> <p>8 A. Yes. More than likely, the forms probably came</p> <p>9 from Officer Wright who was driving the car and</p> <p>10 probably -- you know, what we normally do is the person</p> <p>11 in the car has all the forms, and then they pass them on</p> <p>12 to the officer who is making contact, if that makes</p> <p>13 sense.</p> <p>14 Q. Did you observe an officer hand the forms to</p> <p>15 the flight attendants?</p> <p>16 A. I did. I did observe an officer hand the form</p> <p>17 and explain how to fill them out and asking them if they</p> <p>18 had the time to do it because some of our -- you know,</p> <p>19 sometimes there's connecting flights. So we can't</p> <p>20 really -- you know, we can't force them to stay. We</p> <p>21 have to kind of collect it later.</p> <p>22 But I remember -- I remember -- I believe it</p> <p>23 was Officer Tripp who said, "Hey, these are the forms.</p> <p>24 Can you fill them out? You know, we'll wait for them."</p> <p>25 And then I took off with the -- with the juvenile.</p>	<p>93</p> <p>1 another gentleman -- I believe it was a gentleman --</p> <p>2 that I remember kind of popped up behind, but I don't</p> <p>3 remember that person having anything to say.</p> <p>4 Q. And you never saw any of your officers</p> <p>5 interviewing the flight attendants about the incident?</p> <p>6 MR. McKAY: Objection to the form. Asked and</p> <p>7 answered.</p> <p>8 THE WITNESS: Yeah, I -- I didn't -- I was not</p> <p>9 witness to those interviews.</p> <p>10 BY MR. MAYE:</p> <p>11 Q. You earlier testified that one of the flight</p> <p>12 attendants made a comment about the relationship between</p> <p>13 Mr. DelVecchia and A.D., that she thought maybe they</p> <p>14 weren't father and son. When did -- when did that</p> <p>15 happen?</p> <p>16 A. That was in the very beginning of -- of our</p> <p>17 contact with the flight attendants.</p> <p>18 Q. Is this before the passengers deplaned or</p> <p>19 after?</p> <p>20 A. That's a good one. It may have been before.</p> <p>21 It may have been before.</p> <p>22 Q. You never went onto the aircraft; correct?</p> <p>23 A. No, sir.</p> <p>24 Q. So how did you overhear this?</p> <p>25 A. Well, she's standing in the doorway. That's</p>

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<p style="text-align: right;">94</p> <p>1 where -- well, once the plane lands and they're ready to  2 deboard, the flight attendants stand right in the mouth  3 of the door. So there were only, like, maybe three,  4 four feet away from each other.  5 Q. So all the flight attendants were standing at  6 the door?  7 A. Well, the ones that I could see were standing  8 by the door.  9 Q. And how many could you see?  10 A. I could see three people, three flight  11 attendants.  12 Q. Three flight attendants standing at the door.  13 And what were they doing?  14 MR. McKAY: Objection to the form.  15 THE WITNESS: They were just basically telling  16 people to have a good day.  17 BY MR. MAYE:  18 Q. When -- when you overheard the flight attendant  19 say that she didn't think they were family, what was she  20 doing?  21 MR. McKAY: Objection to the form.  22 THE WITNESS: She was just talking. Just  23 standing talking.  24 BY MR. MAYE:  25 Q. Talking to whom?</p>	<p style="text-align: right;">96</p> <p>1 MR. McKAY: Objection to the form.  2 THE WITNESS: Yes. That I could see.  3 BY MR. MAYE:  4 Q. Okay. And what did the third flight attendant  5 look like?  6 A. They were actually two -- two of them appeared  7 blond, to me. One -- I would say one -- one was a --  8 looked maybe five years older than the other one, maybe,  9 a little bit older. One looked a little older than the  10 other one.  11 Q. When you were speaking with A.D. in the car,  12 was he in decent spirits?  13 MR. McKAY: Objection to the form.  14 THE WITNESS: I -- like I say, he wasn't  15 crying. I can't say -- I guess, yeah, you could say  16 because I was trying my best to make him comfortable.  17 BY MR. MAYE:  18 Q. So you said he wasn't crying and you were  19 making him feel comfortable. Do you think you were  20 doing a good job making him feel comfortable?  21 A. Yes, sir, I think I was doing a good job of  22 trying to build rapport with him because I felt, you  23 know, as a -- he's a 12-year-old boy, 11-, 12-year-old  24 boy. You know, it's an unusual situation. So, you  25 know, I just -- I just didn't want to make it harder,</p>
<p style="text-align: right;">95</p> <p>1 A. She was kind of looking in our direction. So I  2 assume she was relaying part of the story to us as  3 officers.  4 Q. So she was standing in the door by herself?  5 A. No, sir. Like I said already, there were  6 multiple attendants in the doorway, and basically the  7 statement was made -- we're standing outside of the  8 aircraft; she's standing in the inside of the aircraft.  9 Q. And was she speaking to the other flight  10 attendants or speaking to you?  11 MR. McKAY: Objection to the form.  12 THE WITNESS: I can't tell you exactly who she  13 was speaking to. She was just speaking.  14 BY MR. MAYE:  15 Q. And do you know which flight attendant was  16 speaking?  17 A. As I said earlier describing her, basically  18 looked like a young white female with kind of light,  19 kind of, like, dirty-blond hair.  20 Q. Do you know if you the saw a male flight  21 attendant with her at the time?  22 A. Yes. There was a black, male flight attendant.  23 Q. So it was this -- this flight attendant who  24 made this comment, the male flight attendant, and a  25 third flight attendant?</p>	<p style="text-align: right;">97</p> <p>1 you know, or make him feel like we were the big, bad  2 police or something like that.  3 Q. And when you were speaking with A.D. in the  4 conference room at the substation, he appeared to be  5 comfortable and in good spirits?  6 MR. McKAY: Objection to the form.  7 THE WITNESS: I -- I wouldn't say in good  8 spirits, but he was very mature about what was happening  9 is the best way to describe it.  10 BY MR. MAYE:  11 Q. He wasn't crying?  12 A. No, he was not.  13 Q. And he didn't appear to be distressed?  14 MR. McKAY: Objection to form.  15 THE WITNESS: I would -- I would say he was  16 upset, but he was not what you might call, like, overly  17 distressed --  18 BY MR. MAYE:  19 Q. Okay.  20 A. -- about the situation.  21 Q. You said that your office was initially  22 provided very limited information about what the  23 allegations were; correct?  24 A. Yes, sir.  25 Q. You were never told that there was an</p>

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<p>98</p> <p>1 allegation that someone was suspected of human 2 trafficking; correct? 3 MR. McKAY: Objection to the form. 4 THE WITNESS: No, not human trafficking. 5 BY MR. MAYE: 6 Q. Okay. You were told that there was an 7 allegation of potential inappropriate touching; correct? 8 A. Yes, sir. 9 Q. And that's the reason that your office was 10 called to the -- to meet the aircraft; correct? 11 A. Yes, sir. 12 MR. MAYE: I have no further questions. Thank 13 you, Mr. Obasi. 14 THE WITNESS: Thank you, sir. 15 FURTHER EXAMINATION 16 BY MR. McKAY: 17 Q. I know we've kept you here a long time. I'll 18 try to be very brief in my redirect, sir. 19 A. I have a four-hour trip to Yuma after this. 20 Q. Okay. So it got a little confusing there in 21 Mr. Maye's questions about where the flight attendants 22 were. So I apologize, but I just want to clear this up. 23 First of all, is it correct to say that you saw 24 three of the four flight attendants? 25 A. Yes, sir.</p>	<p>100</p> <p>1 A. Yeah, actually, it's -- I'll describe -- it's 2 their normal -- usually where they stand as -- as 3 passengers are leaving the plane. They kind of have 4 that spot there pre to the -- 5 Q. Okay. 6 A. -- the cockpit. 7 Q. Yes. 8 A. Yeah. 9 Q. And so -- and so that's where you observed the 10 man and the younger woman flight attendants. 11 A. Yes. Yes, sir. 12 Q. And relative to them, where was this third 13 woman flight attendant? 14 A. She would have been if you are looking at the 15 plane off to the right side. 16 Q. Okay. All right. So in the aisle of the 17 plane? 18 A. Well, she came -- well -- so initially, when 19 all the people are getting off, we could see, like, at 20 least two of the flight attendants, and then, like, a 21 pilot kind of sticking his head behind them. And then 22 after everybody's off, then you see a third person kind 23 of pop up. 24 Q. Okay. 25 A. I don't know what's -- what's prior to that,</p>
<p>99</p> <p>1 Q. Okay. And of those three, two were female and 2 one was male; correct? 3 A. Yes, sir. 4 Q. The male was African-American, and the females 5 were Caucasian; correct? 6 A. Yes, sir. 7 Q. Okay. And of the two females, one seemed about 8 five years older than the other. 9 A. Yes. There was a slight -- there wasn't an 10 extreme age difference, but the -- the one speaking the 11 most or that made a statement was definitely younger. 12 Q. Okay. And that person was standing near the 13 male flight attendant; right? 14 A. Yes. 15 Q. Okay. Now I want to get to the nitty-gritty. 16 Were they -- at the time that she was making that 17 statement, did they have their feet planted inside the 18 airplane or outside the airplane? 19 A. They were inside the airplane. 20 Q. Okay. And as far as Mr. Maye's questions about 21 standing in the door, they weren't blocking the door, 22 were they? 23 A. No. No. No, sir. 24 Q. Passengers could exit the plane in front of 25 them?</p>	<p>101</p> <p>1 but at the time when I could see three of them, there 2 was no passengers to obstruct, if you know what I'm 3 saying. 4 Q. Okay. So you first saw the third female flight 5 attendant after all the passengers had deplaned. 6 A. Yes, sir. 7 Q. Okay. Now, when you have referred to the 8 pilot, do you mean the captain? 9 A. Yeah, I guess captain, pilot. And like I said, 10 in honesty, sir, he could have been the co, cocaptain or 11 copilot, but he was the one wearing the fancy uniform 12 that kind of poked his head up, and he's the one -- 13 Q. Okay. 14 A. -- that made -- made the statement about "my 15 crew." 16 Q. Of the two of them, did one seem older than the 17 other? 18 A. Are you talking about the -- 19 Q. The pilot. 20 A. -- the crew? 21 Q. The pilots. 22 A. I -- I honestly cannot answer that because I 23 don't -- I remember the pilot -- I would give him maybe 24 40 to 50ish, but I can't really recall the second person 25 that well.</p>



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<p style="text-align: right;">102</p> <p>1 Q. Okay. Okay. Now, you're not an expert on</p> <p>2 pilot procedures and when they need to call and report</p> <p>3 or request law enforcement, are you?</p> <p>4 A. Not at all, sir. No.</p> <p>5 Q. Okay. Let me ask you about A.D. When you --</p> <p>6 when you first saw him, that was when he was being</p> <p>7 brought off the plane by a flight attendant?</p> <p>8 A. Yes, sir.</p> <p>9 Q. Okay. And now, was this the third flight</p> <p>10 attendant that you just testified about?</p> <p>11 A. I -- I would assume, but I didn't really see --</p> <p>12 (audio distorted) -- him up to the doorway, if you know</p> <p>13 what I'm saying. So I don't really -- I can't</p> <p>14 specifically say who brought him to the door.</p> <p>15 Q. Okay. Now, you mentioned that you were born on</p> <p>16 Barbados; is that right?</p> <p>17 A. Yes. Yes, sir.</p> <p>18 Q. Okay. Would you describe your ethnic heritage</p> <p>19 as -- as African-Caribbean?</p> <p>20 A. I'm just Caribbean, yes.</p> <p>21 Q. Just Caribbean. Okay.</p> <p>22 THE COURT REPORTER: I'm just what? I'm sorry.</p> <p>23 THE WITNESS: I'm just Caribbean or West Indie.</p> <p>24 BY MR. McKAY:</p> <p>25 Q. Okay.</p>	<p style="text-align: right;">104</p> <p>1 Q. Okay.</p> <p>2 A. So he would be -- so he would be average height</p> <p>3 where I'm from, but in -- on American standards, he's a</p> <p>4 pretty well-built, you know, 12-year-old.</p> <p>5 Q. Okay.</p> <p>6 A. Put it that way.</p> <p>7 Q. Have you had occasion in your lifetime to sit</p> <p>8 in the middle seat of an airplane?</p> <p>9 A. Oh, yes, sir.</p> <p>10 Q. Okay. Do you think that someone as tall as</p> <p>11 A.D. could physically have maneuvered in a way that he</p> <p>12 put his head onto the middle seat occupant's lap while</p> <p>13 sitting in the window seat?</p> <p>14 MR. MAYE: Object to form.</p> <p>15 THE WITNESS: That -- having flown -- and I</p> <p>16 have an older daughter, that's kind of hard to do</p> <p>17 without some manipulation.</p> <p>18 BY MR. McKAY:</p> <p>19 Q. Okay.</p> <p>20 A. Yeah.</p> <p>21 Q. Now, when Mr. Maye asked you questions about</p> <p>22 making an internal assessment, and I think he said -- I</p> <p>23 think you said there are occasions where something</p> <p>24 doesn't rise to the level of a case so you don't call</p> <p>25 the FBI.</p>
<p style="text-align: right;">103</p> <p>1 A. Yeah, we don't put the -- we don't put the</p> <p>2 "African" in front, but it's okay.</p> <p>3 Q. Okay. Fair enough.</p> <p>4 With respect to A.D. when you saw him, did you</p> <p>5 have an impression as to his ethnicity?</p> <p>6 A. Yes, sir.</p> <p>7 Q. And what was that?</p> <p>8 A. By his features, I assumed either kind of like</p> <p>9 an Ethiopian region. Right.</p> <p>10 Q. Okay. And --</p> <p>11 A. Yeah, that's kind of what I assumed.</p> <p>12 Q. And, if you would, what -- what specifically</p> <p>13 about his features led you in that direction?</p> <p>14 A. Usually you -- you -- for -- I mean, like I</p> <p>15 said, being, you know, from another country, you might</p> <p>16 say we -- we tend to recognize features pretty well. So</p> <p>17 when I saw, like, his -- like, the forehead, the shape</p> <p>18 of his face, I immediately assumed more of an</p> <p>19 Ethiopian/Eritrean type background.</p> <p>20 Q. Okay. Now, would you say that for a</p> <p>21 12-year-old he was tall?</p> <p>22 A. Well, probably by American standards. Like,</p> <p>23 say -- like, being from Barbados, we are mostly of</p> <p>24 Nigerian descent. So our average male is, like, 6-2,</p> <p>25 6-3.</p>	<p style="text-align: right;">105</p> <p>1 Do you remember that?</p> <p>2 A. Yes, sir.</p> <p>3 Q. Okay. Were you referring there to the "I don't</p> <p>4 want to wear a mask" kind of situation?</p> <p>5 MR. MAYE: Object to form.</p> <p>6 THE WITNESS: Yes, sir. But after a while, TSA</p> <p>7 actually took those over so we didn't have to really</p> <p>8 prosecute with those. But a lot of those cases are</p> <p>9 wearing a mask, maybe a verbal argument type thing that</p> <p>10 there's no real crime.</p> <p>11 BY MR. McKAY:</p> <p>12 Q. And you have some discretion in those cases?</p> <p>13 A. Yes, sir.</p> <p>14 Q. Okay. Now, if a report is made that while the</p> <p>15 plane is in the air in the federal air space a sexual</p> <p>16 molestation has occurred, that's a fairly serious crime,</p> <p>17 is it not?</p> <p>18 A. Yes, sir.</p> <p>19 Q. And that's a crime that, if it occurs in the</p> <p>20 federal air space, is always the FBI's jurisdiction;</p> <p>21 correct?</p> <p>22 MR. MAYE: Object to form.</p> <p>23 THE WITNESS: Always. Yes, sir.</p> <p>24 BY MR. McKAY:</p> <p>25 Q. Okay. And so you don't have any discretion in</p>



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<p style="text-align: right;">106</p> <p>1 those cases to just say we're not going to make a case 2 of this, do you? 3 MR. MAYE: Object to form. 4 THE WITNESS: We do not. We do not. 5 BY MR. McKAY: 6 Q. Okay. And in this particular case, isn't it 7 correct that you had already called the FBI before you 8 had spoken with any of the flight attendants? 9 A. Yes. I alerted the FBI, and I also -- I just 10 remembered I also called our internal, like, sexual 11 assault experts, you know, just to make sure. 12 Q. Okay. 13 A. And they were -- and they were basically, like, 14 not ours, not touching it, not coming out kind of a 15 deal. 16 Q. And why did they say that to you, your own 17 people? 18 A. Well, because it was clearly -- it's a 19 jurisdictional issue. 20 Q. So it was the FBI's jurisdiction? 21 A. Yeah. Federal -- federal airways. There's 22 also the fact of, like, we always say once the door is 23 closed and the plane taxis, FBI. 24 Q. Yeah. Okay. And knowing that it was the FBI's 25 jurisdiction, you didn't take any notes of what people</p>	<p style="text-align: right;">108</p> <p>1 BY MR. McKAY: 2 Q. I mean, you -- you heard him talking about it, 3 but they were not events that you had witnessed; right? 4 MR. MAYE: Object to form. 5 THE WITNESS: No, sir, I did not witness it. 6 BY MR. McKAY: 7 Q. Okay. And you also -- did you take any notes 8 of, specifically, the details of what he told you? 9 A. No, sir, I did not. 10 Q. Okay. So is it possible that you might have 11 misremembered some of those specific details? 12 MR. MAYE: Object to form. 13 THE WITNESS: I would say maybe a word or two 14 or the way it was said but not the general, you know, 15 gist of things. 16 BY MR. McKAY: 17 Q. Okay. We just talked about a minute ago, I 18 mean, the -- his telling you that A.D.'s head was in his 19 lap doesn't seem possible now when you think about it, 20 does it? 21 MR. MAYE: Object to form. 22 THE WITNESS: Like I said, I -- it doesn't seem 23 possible based on his height, but I think as far as him 24 comforting him, I remember him saying that. 25 /////</p>
<p style="text-align: right;">107</p> <p>1 told you yourself, did you? 2 MR. MAYE: Object to form. 3 THE WITNESS: No. No, I did not. 4 BY MR. McKAY: 5 Q. Okay. And you -- I believe you said earlier 6 that -- that your police department might not have even 7 opened a file on it; right? 8 A. No, not outside of the -- of the 9 computer-generated things that you see. There would 10 be -- 11 Q. Okay. 12 A. -- no reason for a case file. 13 Q. Okay. And so when you are testifying about 14 your own observations, things that you heard, those are 15 based on -- on your own having -- sorry -- strike that. 16 When you testify about things that you heard or 17 saw yourself, those are based on your specific 18 recollections of what occurred and what you saw. 19 Is that a fair statement? 20 A. Yes, sir. 21 Q. Okay. When you were testifying about what 22 Mr. DelVecchia told you later, those weren't things that 23 you yourself observed; right? 24 MR. MAYE: Object to form. 25 THE WITNESS: No, sir.</p>	<p style="text-align: right;">109</p> <p>1 BY MR. McKAY: 2 Q. So could it have been that you just remembered 3 him saying that he was comforting him when he was 4 touching his face? 5 MR. MAYE: Object to form. 6 THE WITNESS: That's -- that's possible, sir. 7 BY MR. McKAY: 8 Q. Okay. I made a note here that I thought I 9 heard you say an officer's name was White, and then I 10 thought I heard you say an officer's name was Wright. 11 A. Yes, sir, two different officers. 12 Q. Okay. So when you say that Officer Wright was 13 the driver, that's a different person than Officer 14 White. 15 A. Yes, sir. It should be M, as in "Mary," Wright 16 and A, as in "Anthony," White. 17 Q. Okay. 18 A. And Officer White should have a B behind his 19 call sign. 20 Q. Okay. Is Officer Wright, with an R, is that a 21 female officer? 22 A. No, that's a -- a male officer. He's actually 23 retired also. 24 Q. Okay. But the M, as in "Mary," it was just -- 25 A. No, the M, as in "Mary" was -- (audio</p>

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<p style="text-align: right;">110</p> <p>1 distorted) -- his name is Mart -- Mart -- Martin.  2 Q. Okay. Thank you.  3 Who -- what officer would have accompanied --  4 if you know, which officer would have accompanied  5 Mr. DelVecchia into the holding room?  6 A. That probably initially was Officer Wright and  7 then -- because he's the -- what we call our ramp car,  8 our driving car. Then he would have left, and another  9 officer would have just kind of sat either in the room  10 or directly outside.  11 Q. I see.  12 So Officer Wright, with an R, would have  13 delivered Mr. DelVecchia but then would have been  14 replaced by somebody else.  15 A. Yeah, he's basically like our Uber driver.  16 Q. Okay. Do you know who would have come in to  17 replace Officer Wright?  18 A. At that point it probably -- because we were  19 probably going late, it may have been, like, maybe  20 Berghuis or even Officer Tripp or White. I believe they  21 were taking turns because directly across from that room  22 is also our main break room. So it's easy for, you  23 know, officers to congregate there and take turns kind  24 of watching someone in custody.  25 Q. Okay. Would the officers that you had just</p>	<p style="text-align: right;">112</p> <p>1 aircraft control center?  2 A. Yes, sir.  3 Q. And I'm sorry. I misspoke. The airport  4 control center; is that right?  5 A. Yes, sir.  6 Q. Okay. And the airport control center would  7 necessarily get the information coming from the airline?  8 A. Yes. They --  9 MR. MAYE: Object to form.  10 BY MR. McKAY:  11 Q. Okay. I'm sorry. What else were you going  12 to --  13 A. They either get it from the airline or directly  14 from the cockpit.  15 Q. Okay. And speaking of the cockpit, when you  16 spoke to the pilot, he told you that the flight  17 attendants had told him enough to make the call; is that  18 correct?  19 A. Well, the way he put it is that his crew -- his  20 crew basically alerted him to an incident, and when  21 his -- when his whole crew, you know, alerts him, he  22 pretty much has to call.  23 Q. Okay. Did he say it that way, or was that your  24 interpretation?  25 A. No, he basically -- the way I took it and the</p>
<p style="text-align: right;">111</p> <p>1 named, would they have kept their body cams on even when  2 they were back at the station?  3 A. Yes. As long as -- as long as they were  4 watching a suspect or purported suspect, their body  5 cameras would have been on.  6 Q. And is there also -- like we see on TV, is  7 there also closed-circuit television watching people in  8 the holding room?  9 A. It's available, but that was not activated. We  10 usually use that for -- if we have someone in custody  11 that, you know -- you know, maybe one of the big-time  12 drug dealers or drug hauls that can be activated, but it  13 has to be activated by one of our detectives.  14 Q. I see. And you don't think it was that night?  15 A. Oh, I can guarantee it was not.  16 Q. Was not? Okay.  17 A. It was not.  18 Q. Okay. Now, you had mentioned that the airline  19 doesn't make a decision to call the FBI, but the airline  20 does make a decision to call law enforcement of some  21 kind, doesn't it?  22 A. Yes, sir.  23 Q. Okay. All right. And the information that  24 would have been put into any kind of a call log would be  25 the information as it's received from the ACC, the</p>	<p style="text-align: right;">113</p> <p>1 way he was saying it, it came across almost apologetic.  2 Q. He -- you had testified in response to  3 Mr. Maye's questions that the pilot told you something  4 that was enough to make the call. And my question is  5 how was that conveyed to you, that there was a threshold  6 of some sort?  7 A. That's just what he said. He never -- there  8 was never a comment -- a conversation of a threshold of  9 when he has to call or needs to call. I think he was  10 just saying that, hey, you know, if my whole crew is  11 coming to me about a problem, I'm calling.  12 Q. Okay.  13 A. If that makes sense, yeah.  14 Q. Okay. But did he ever say to you that the  15 entire crew had seen the alleged fondling?  16 A. He didn't say that they saw it. He just said  17 that the crew, like, complained to -- to him.  18 Q. Okay.  19 A. He never said the word "saw."  20 Q. Okay. With respect to your conversation with  21 A.D., you testified in response to Mr. Maye's questions  22 that something rang a bell in Mr. Maye's discussion or  23 question about a prior flight. Was it the flight that  24 rang a bell to you or the fact that it happened on a  25 flight?</p>

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<p style="text-align: right;">114</p> <p>1 A. No. It was when he said about a prior 2 incident -- - 3 Q. Yes. 4 A. -- because -- because I remember -- I remember 5 A.D. basically said, you know -- and I think that's -- 6 again, my perception talking to this child -- why he was 7 not overly upset because this had happened before. 8 Q. Okay. 9 A. It wasn't brand-new to him. So, yeah, he -- he 10 said basically, like, yeah, we -- like, were on another 11 flight. He didn't tell me, like -- 12 Q. Okay. 13 A. -- you know, what flight, whatever. Just that 14 it happened before on a flight that they had been 15 separated. 16 Q. Did he at any time tell you that the prior 17 incident on a flight had involved an allegation of 18 inappropriate touching? 19 A. No. I don't remember that, no. 20 Q. Okay. 21 A. And if I could clarify. 22 Q. Go ahead. 23 A. The juvenile actually never mentioned 24 inappropriate touching. 25 Q. Okay. And when you say "the juvenile," you</p>	<p style="text-align: right;">116</p> <p>1 THE WITNESS: Not at all, no. 2 BY MR. McKAY: 3 Q. Okay. Is it wrong to tell a lie that gets 4 somebody in trouble with the police? 5 MR. MAYE: Object to form. 6 THE WITNESS: Yes, sir. 7 MR. McKAY: All right. That's all I have. 8 Thank you very much, sir. 9 THE WITNESS: You're welcome. 10 FURTHER EXAMINATION 11 BY MR. MAYE: 12 Q. I just have a few more questions. 13 A.D. never told you that a flight attendant 14 treated him inappropriately, did he? 15 A. No, sir. 16 Q. That a flight attendant touched him 17 inappropriately? 18 A. No, sir. 19 Q. That a flight attendant did anything that could 20 be perceived as sexual assault? 21 A. No, sir. 22 Q. You said -- you testified earlier that you 23 requested the FBI's assistance after you received the 24 message from the airport control center; correct? 25 A. Yes. I -- I honestly don't remember the time</p>
<p style="text-align: right;">115</p> <p>1 mean A.D.? 2 A. A.D. A.D. I'm sorry. A.D. never -- he never 3 referred to anything like that. 4 Q. Okay. 5 A. He just called it being separated from his dad. 6 He never mentioned anything about inappropriate behavior 7 on his father's part. 8 Q. Okay. He never said a thing about 9 inappropriate touching on his father's part. 10 A. No, sir. 11 Q. In any context whatsoever? 12 A. No, sir. Not to me, no. 13 Q. Okay. You had agreed with Mr. Maye that 14 certain things Mr. Maye described would raise what you 15 called red flags. And my question to you is did 16 anything that A.D. said to you raise any red flags? 17 A. No, sir. 18 Q. Okay. Mr. Maye got you to agree that "See 19 Something, Say Something" is -- is a valid law 20 enforcement technique. 21 Do you remember that? 22 A. Yes, sir. Yes, sir. 23 Q. Do you believe that "See Something, Say 24 Something" is a license to commit racial discrimination? 25 MR. MAYE: Object to form.</p>	<p style="text-align: right;">117</p> <p>1 frame, but, yes, I -- I'm the one that called. 2 Q. Did you request the FBI's assistance before you 3 arrived at the gate? 4 A. I actually believe so. I called -- well, I 5 called their -- their "in bucket" number, as you call 6 it, or the on-call officer because we were told, you 7 know, of the type of case it was. And a lot of that was 8 more just to alert them as to what was going on because 9 it's a -- like I said, it's an on-call -- they're not in 10 an office. It's a from-home situation. So it's more of 11 a heads-up of, hey, this may be going on. 12 Q. So when the aircraft arrived and you spoke with 13 the crew, you could have decided, hey, this doesn't 14 warrant going to the FBI; correct? 15 A. In this case, I would say no. 16 Q. And why? 17 A. Basically because -- well, one, I wasn't 18 present; and, two, the allegation was made. So for -- 19 for me to step outside of my jurisdiction even for a 20 case that's felonious and this -- you know, I don't know 21 what the word -- I mean, that would bring this much 22 backlash if it's true, you know, like I said, it's 23 better to be, I guess, safe than sorry. 24 Q. Okay. 25 A. But this is -- that wasn't my decision to make,</p>

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<p style="text-align: right;">118</p> <p>1 in honesty, sir.</p> <p>2 Q. So you -- so you got the FBI involved based on</p> <p>3 the message from airport control center that the captain</p> <p>4 said there was an allegation of inappropriate touching.</p> <p>5 A. Yes, sir.</p> <p>6 Q. Okay. Now, if the message came in and the</p> <p>7 message was there's an allegation that someone spilled</p> <p>8 Diet Coke on another passenger, did you -- would you</p> <p>9 have a discretion there to not request FBI's</p> <p>10 involvement?</p> <p>11 A. Yes.</p> <p>12 MR. McKAY: Objection to form.</p> <p>13 THE WITNESS: Yeah, if it's something -- I'm</p> <p>14 sorry. Something that my --</p> <p>15 MR. McKAY: Sorry.</p> <p>16 Objection to form. Calls for speculation.</p> <p>17 BY MR. MAYE:</p> <p>18 Q. You can answer. I'm sorry, I couldn't hear</p> <p>19 your answer.</p> <p>20 A. Oh, I'm sorry. I said, yes, sir, for something</p> <p>21 that minor that could be handled on scene, we -- we</p> <p>22 would definitely wait before calling the FBI.</p> <p>23 Q. So you do have discretion, but it's based on</p> <p>24 what the allegation is.</p> <p>25 A. Yes, sir.</p>	<p style="text-align: right;">120</p> <p>1 Q. And who did that test run?</p> <p>2 A. Mr. McKay.</p> <p>3 Q. And did you ever -- have you ever spoken with</p> <p>4 Mr. McKay about your knowledge about this incident?</p> <p>5 A. We -- we did speak -- yeah, we spoke, actually,</p> <p>6 pretty early on by phone.</p> <p>7 Q. And what did you talk about?</p> <p>8 A. Just what happened and the fact that he was</p> <p>9 representing the -- the plaintiff, I guess. I don't</p> <p>10 know what the right word is for it.</p> <p>11 Q. And you shared with him the information that</p> <p>12 you're aware of?</p> <p>13 A. Yes, sir. Not -- not as probably I should say</p> <p>14 in-depth as today, but it was just basic -- basic</p> <p>15 questions of, you know, what happened, time, stuff like</p> <p>16 that.</p> <p>17 Q. Did he ever show you any documents?</p> <p>18 A. No, sir. This is by telephone.</p> <p>19 Q. And that was the only time you spoke with him?</p> <p>20 A. Yes, sir. Yeah, we've only ever spoken by</p> <p>21 telephone. We've never gotten any, like, documents</p> <p>22 about this case or anything like that.</p> <p>23 Q. I'm sorry. How many times did you speak with</p> <p>24 him by telephone?</p> <p>25 A. I think we spoke twice, but the -- part of it</p>
<p style="text-align: right;">119</p> <p>1 Q. Okay. And in this case when the allegation was</p> <p>2 there's suspected inappropriate touching, you made the</p> <p>3 decision, hey, I think this warrants getting the FBI</p> <p>4 involved.</p> <p>5 A. Yes.</p> <p>6 MR. McKAY: Objection to the form of the</p> <p>7 question.</p> <p>8 BY MR. MAYE:</p> <p>9 Q. Okay.</p> <p>10 A. Yes, sir.</p> <p>11 Q. Okay. And so your decision to get the FBI</p> <p>12 involved was based exclusively on the information that</p> <p>13 was communicated to you by the airport control center;</p> <p>14 correct?</p> <p>15 A. I would say, yes, based on that information and</p> <p>16 severity if it was true.</p> <p>17 Q. Better safe than sorry.</p> <p>18 A. Yes, sir.</p> <p>19 Q. Okay. Did you speak with anyone to prepare for</p> <p>20 this deposition?</p> <p>21 A. Excuse me?</p> <p>22 Q. Did you speak with anyone to prepare for your</p> <p>23 deposition?</p> <p>24 A. No. We -- we did a test run to make sure that</p> <p>25 my connection worked. That was it.</p>	<p style="text-align: right;">121</p> <p>1 was also because, again, the reason why I wasn't -- I</p> <p>2 didn't connect it before, I downloaded a spam blocker</p> <p>3 that kind of took over my phone, and I didn't realize</p> <p>4 it. So we had to kind of clear that up first. So we</p> <p>5 kind of spoke about that, and then he wanted to make</p> <p>6 sure I would be able to connect with you guys properly.</p> <p>7 Q. Just to clarify, you don't know or you don't</p> <p>8 recall who escorted A.D. from the back of the aircraft</p> <p>9 to the front of the aircraft?</p> <p>10 A. No, sir. I wouldn't be able to see that, guys,</p> <p>11 from where I'm standing -- or I was standing.</p> <p>12 Q. Okay. Um -- or strike that.</p> <p>13 You said you initially contacted the FBI based</p> <p>14 on the message from airport control center to give them</p> <p>15 a heads-up.</p> <p>16 Did you then follow up with them and say, hey,</p> <p>17 this is still a go, or what happened then?</p> <p>18 A. Yes, sir. Yes. Then the follow-up would have</p> <p>19 been a confirmation to, yes, we need you to come out.</p> <p>20 And I -- because I also wanted to make sure that one of</p> <p>21 their agents was qualified to speak to an adolescent.</p> <p>22 Q. And when did you make that follow-up call?</p> <p>23 A. I believe that was after we arrived back at the</p> <p>24 substation because that's about a -- what is it? --</p> <p>25 like, five-minute trip from the aircraft.</p>



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<p style="text-align: right;">122</p> <p>1 Q. And at that point you were aware that</p> <p>2 Mr. DelVecchia and A.D. were father and son; correct?</p> <p>3 A. Yes, sir, yes.</p> <p>4 Q. And you could have at that point -- had you</p> <p>5 believed it was warranted, you could have called the FBI</p> <p>6 and said, hey, you know what? I've spoken with the</p> <p>7 child, I've spoken with the alleged perpetrator, and I</p> <p>8 don't think it's warranted for the FBI to interview</p> <p>9 either of them.</p> <p>10 You could have done that right?</p> <p>11 MR. McKAY: Objection to form. Calls for</p> <p>12 speculation.</p> <p>13 THE WITNESS: Well, yes, sir, but I never did a</p> <p>14 full interview of Mr. -- of the adult, of</p> <p>15 Mr. DelVecchio.</p> <p>16 BY MR. MAYE:</p> <p>17 Q. I understand that, sir. But it's in your -- in</p> <p>18 your authority to do a -- to have done that.</p> <p>19 MR. McKAY: Objection to the form.</p> <p>20 Argumentative.</p> <p>21 THE WITNESS: Yes, sir.</p> <p>22 MR. MAYE: Okay. I have no further questions.</p> <p>23 Thank you, Mr. Obasi. Appreciate it.</p> <p>24 THE WITNESS: Thank you, sir.</p> <p>25 MR. McKAY: Sir, what's going to happen next is</p>	<p style="text-align: right;">124</p> <p>1 bored you too much. Get some coffee.</p> <p>2 MR. MAYE: Yes, safe travels.</p> <p>3 THE WITNESS: Thank you very much.</p> <p>4 THE VIDEOGRAPHER: This concludes the</p> <p>5 deposition of Francois Obasi on -- excuse me -- on</p> <p>6 September 15th, 2022. The time is 11:55 a.m., and we are</p> <p>7 off the video record.</p> <p>8 MS. REPORTER: Could I get counsels' transcript</p> <p>9 orders on the record, please, whether you like hard copy</p> <p>10 or electronic.</p> <p>11 MR. McKAY: I do not like paper one little bit.</p> <p>12 So I only want electronic, please, and I do request a</p> <p>13 transcript and also a copy of the video.</p> <p>14 THE VIDEOGRAPHER: Okay.</p> <p>15 MR. MAYE: Same. Same order for us. Thank</p> <p>16 you.</p> <p>17 THE VIDEOGRAPHER: Same order. Okay. Thank</p> <p>18 you.</p> <p>19 (Deposition concluded at 11:56 a.m.)</p> <p>20 (Exhibits 1 through 4 were marked.)</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">123</p> <p>1 that the court reporter is going to type up a formal</p> <p>2 transcript of this, and you have the right to look it</p> <p>3 over and proofread it and make any changes or</p> <p>4 corrections.</p> <p>5 I would recommend that you do so in this case</p> <p>6 since it's being taken remotely and there has been some</p> <p>7 echo that might have caused her to misunderstand</p> <p>8 something that you said at the end of a sentence.</p> <p>9 So when the transcript is ready, which usually</p> <p>10 takes a week or two, the court reporter or I will get in</p> <p>11 touch with you to let you know it's available for you to</p> <p>12 review, and then you can go through it and -- and note</p> <p>13 any changes, corrections, or even if you remember</p> <p>14 something that you had forgotten today, you have the</p> <p>15 right to put that in and just provide a little</p> <p>16 explanation that, you know, it was something that you</p> <p>17 remembered later. Okay?</p> <p>18 THE WITNESS: Yes. Yes, sir.</p> <p>19 MR. McKAY: All right. Okay. Thank you.</p> <p>20 Thank you very much for your time today. We appreciate</p> <p>21 your coming and sitting in your garage. I know that</p> <p>22 hasn't been easy. I appreciate it very much.</p> <p>23 THE WITNESS: Like I said, I have a five-hour</p> <p>24 drive after this. So it's okay.</p> <p>25 MR. McKAY: Oh, boy. Well, I hope we haven't</p>	<p style="text-align: right;">125</p> <p>1 CERTIFICATE OF WITNESS</p> <p>2 PAGE LINE CHANGE REASON</p> <p>3 _____</p> <p>4 _____</p> <p>5 _____</p> <p>6 _____</p> <p>7 _____</p> <p>8 _____</p> <p>9 _____</p> <p>10 _____</p> <p>11 _____</p> <p>12 _____</p> <p>13 _____</p> <p>14 _____</p> <p>15 _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 _____</p> <p>19 * * * * *</p> <p>20 I, FRANCOIS OBASI, witness herein, do hereby</p> <p>21 certify and declare under penalty of perjury the within</p> <p>22 and foregoing transcription to be my deposition in said</p> <p>23 action; that I have read, corrected, and do hereby affix</p> <p>24 my signature to said deposition.</p> <p>25</p> <p>24 _____</p> <p>25 FRANCOIS OBASI</p> <p>Witness Date</p>



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## REPORTER'S CERTIFICATE

1 STATE OF NEVADA )  
 2 )  
 3 ) ss  
 4 COUNTY OF WASHOE )

5 I, Dawn Bratcher Gustin, a duly certified court  
 6 reporter licensed in and for the State of Nevada, do  
 7 hereby certify:

8 That I reported the taking of the deposition of  
 9 the witness, FRANCOIS OBASI, at the time and place  
 10 aforesaid;

11 That prior to being examined, the witness was by  
 12 me duly sworn to testify to the truth, the whole truth,  
 13 and nothing but the truth;

14 That I thereafter transcribed my shorthand notes  
 15 into typewriting and that the typewritten transcript of  
 16 said deposition is a complete, true, and accurate record  
 17 of the proceedings to the best of my ability.

18 I further certify that (1) I am not a relative,  
 19 employee, or independent contractor of counsel of any of  
 20 the parties; nor a relative, employee, or independent  
 21 contractor of the parties involved in said action; nor a  
 22 person financially interested in the action; nor do I  
 23 have any other relationship with any of the parties or  
 24 with counsel of any of the parties involved in the  
 25 action that may reasonably cause my impartiality to be  
 questioned; and (2) that transcript review pursuant to  
 FRCP 30(e) was requested.

IN WITNESS WHEREOF, I have hereunto set my hand  
 in the County of Washoe, State of Nevada, this 29th day  
 of September 2022.

*Dawn Bratcher Gustin*  
 Dawn Bratcher Gustin, CCR 253, RPR, CRR

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